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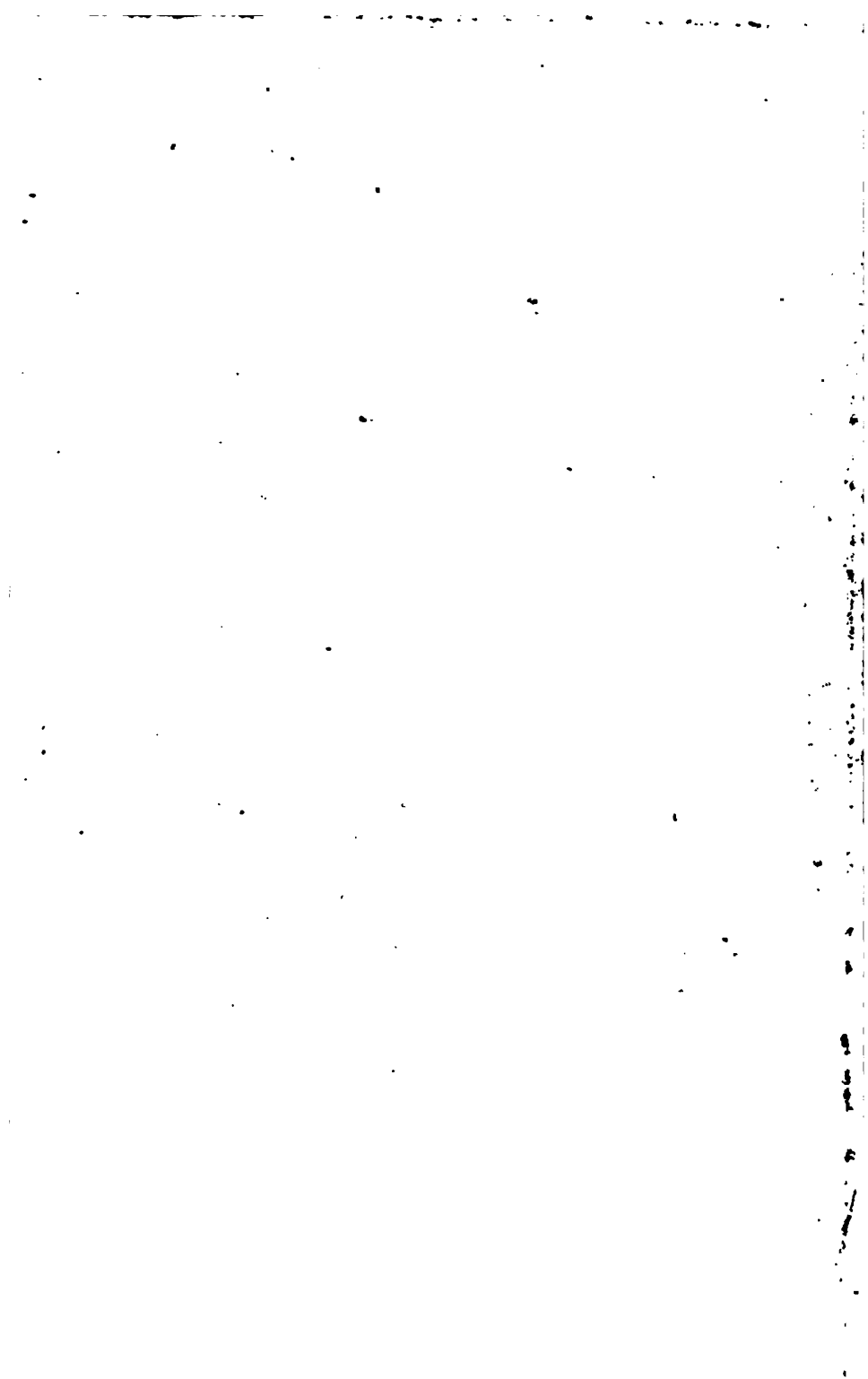




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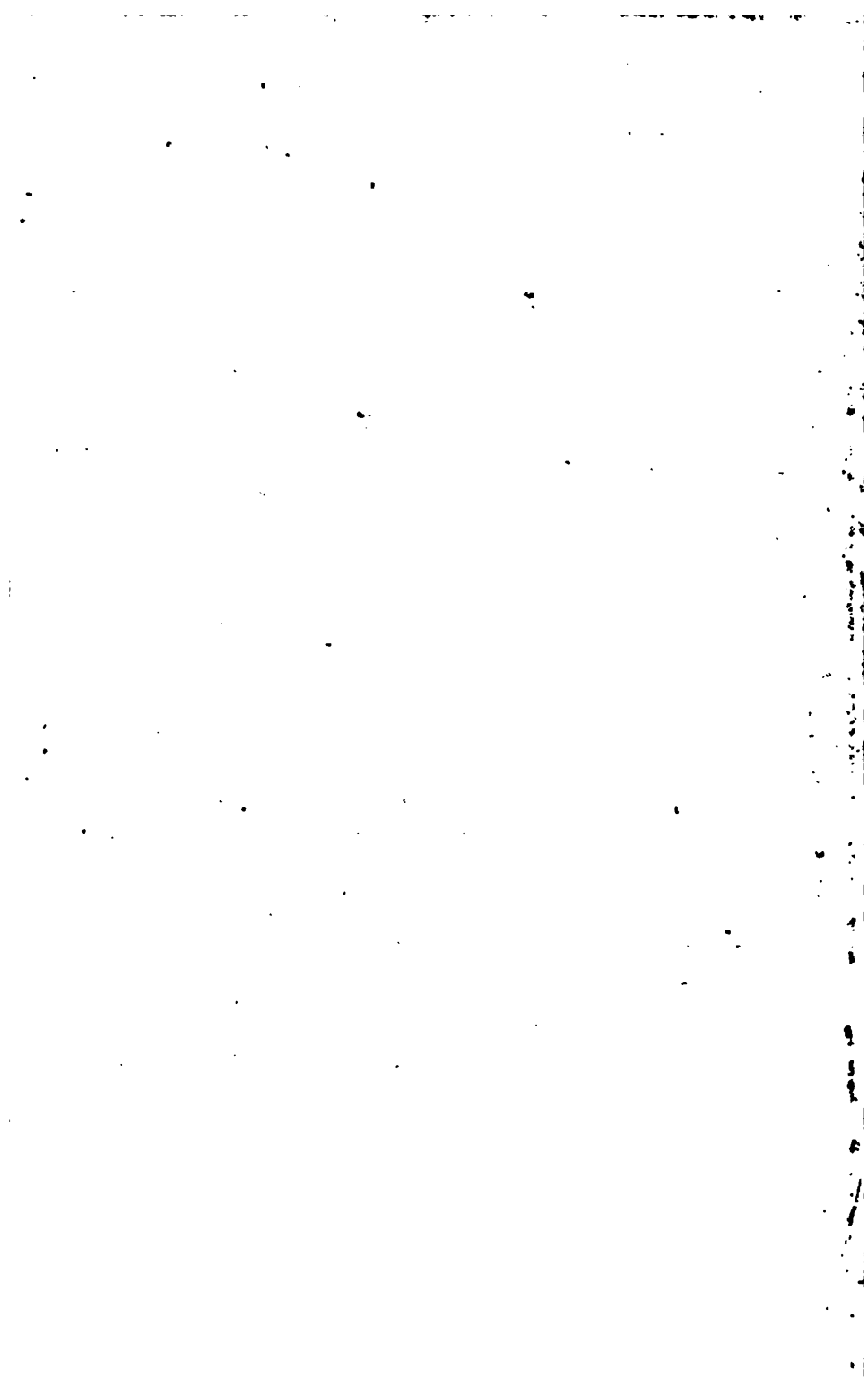


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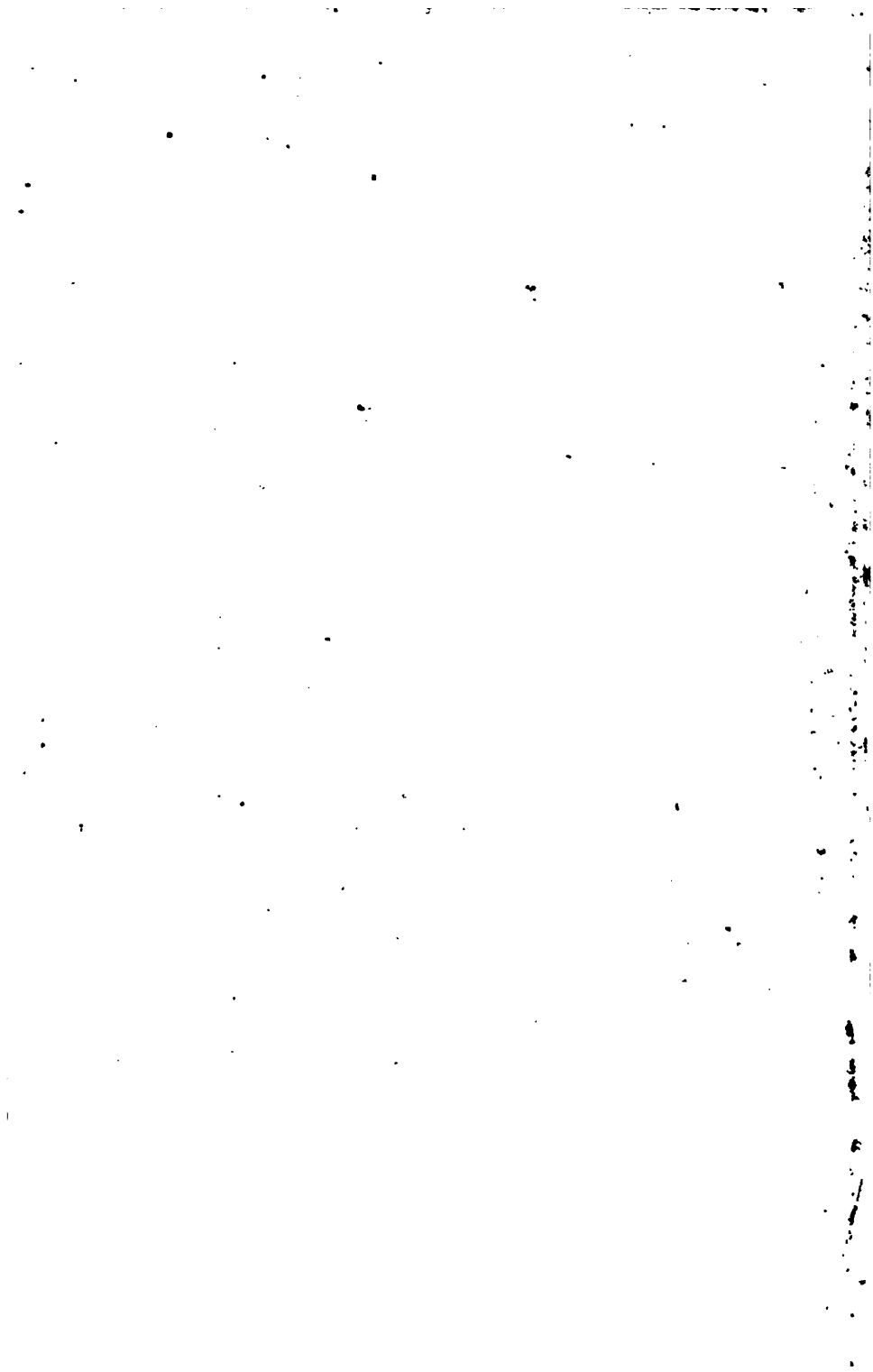














THE  
**Life, Times, and Writings**  
OF THE  
**RIGHT REV. DR. HENRY PHILLPOTTS,**  
LORD BISHOP OF EXETER.

BY THE REV. REGINALD N. SHUTTE, B.A.,

RECTOR OF S. MARY STEPS, EXETER, AND AUTHOR OF A NEW  
CATENA ON S. PAUL'S EPISTLES, LIFE OF  
REV. HENRY NEWLAND,  
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## P R E F A C E.

**I**T will perhaps be expected that I should say something as to the circumstances which have led to the production of this work. And this is the more necessary since some writers have commented upon my intentions in a way which, if it raises one's estimate of their power of invention, speaks little for their sense of justice. To none of these comments have I thought it needful to reply, but have refrained from stating my case until the appearance of the first instalment of my work should give me a suitable opportunity for doing so.

The circumstances which led to my becoming the biographer of the Bishop of Exeter are briefly these. In the autumn of 1861 I received a letter from my publishers—to whom I was then an entire stranger—inviting me to undertake the preparation of a work to be en-



titled, *The Life, Times, and Writings of the Bishop of Exeter*. I can truly say that I was wholly unprepared for this offer. But supposing that I had declined it, would the projected work have fallen to the ground? I am not vain enough to believe that it would. So that, in point of fact, I am only doing what somebody else would have done, if he had had the same opportunity.

But it has been assumed that I have been acting in defiance of the Bishop's wishes, and this assumption has furnished the text for many a homily at my expense. The thought proved too overpowering for most of my critics, who could not bring themselves to part with the assumption that was so groundless, and yet so capable of being made effective.

The facts are simply these. Having collected the necessary materials, and having done my best to ascertain that no biography was contemplated by the Bishop's family, or immediate friends, I wrote to his Lordship, announcing the work upon which I was engaged. My letter was courteous and deferential. It is true that, although against his Lordship's wishes I would not have persisted in the work, I did not ask for his co-operation in direct terms—for the treatment which I had experienced at his hands in refer-

ence to a previous publication forbade it—yet I worded my letter in such a way that, while it could convey no offence to a mind however sensitive, it was impossible to mistake my meaning. The Bishop did *not* mistake it, for he instructed his chaplain to say in reply that “he feels that he has no right to object to the undertaking,” and, in a subsequent letter from his Lordship to myself, he says, “*you have an UNDOUBTED RIGHT to publish such a work.*” Surely this is explicit enough. If any objection is veiled under these words, I can only lament that I have not been able to discover it. The Bishop admits my “UNDOUBTED RIGHT” to engage in the undertaking; and if he admits it, who has any reason to object? “So far,” says the *Times*,\* “nothing can be plainer and more simple than the subject-matter of the correspondence.” And this is only doing me justice.

But now the ingenuity of my critics begins to display itself. The *Times* proceeds to assert that I did “not only want to write the Life of the Bishop of Exeter,” but that I wanted “to write it with the Bishop’s advice and assistance.” It is a pleasant conceit, but, like many other things,

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\* August 22, 1862.

it will not bear examination. So far from my looking for any assistance from the Bishop, I told my publishers, in the very first letter I ever wrote to them on the subject, that I was confident that his Lordship's co-operation could never be obtained. I went, indeed, a great deal further than this, and in the same letter added, "*Personally speaking, I should prefer writing independently of any help from him.*" This is repeated in my subsequent correspondence with my publishers and others, and the tone of the Bishop's reply to my first letter was not calculated to alter my opinion, and cause me to seek his aid. The truth is, the Bishop said exactly what I wanted him to say. The utmost I wished was that he should not object.

And the reason is obvious. If the Bishop had entered heartily into my plan, and had handed me his papers, and otherwise rendered me material assistance, the value of my work as an independent history would have been gone. It would then have appeared that I was writing at his Lordship's dictation, and with the desire of conciliating his regard. To all intents and purposes it would have been a *Life of the Bishop* written by the Bishop himself. However interesting such a work might be, it would at least

be open to the charge of partiality. Now, at all events, my book is beyond suspicion.

But I desired, it may be urged, "to have the benefit of his Lordship's judgment on some doubtful and difficult points." It is perfectly true that I did express this desire; but need it therefore be assumed—as my critics have so eagerly done—that these "doubtful and difficult points" were so numerous as to necessitate a recital by the Bishop of the changes and chances of his whole life? In other words, when I wrote this sentence, was I trying to entrap the Bishop into revealing to me matters of personal and private interest, which otherwise I could not have known? Such a belief could only have been conceived by one who had no knowledge of the Bishop. I had already assured his Lordship that my work would relate, almost exclusively, to his *public* life, and that all the requisite materials were entirely within my reach. Whether I spoke truly this present volume will show. What then did I mean by the "doubtful and difficult points?" On examining the Bishop's writings, I occasionally found that statements and facts were capable of more than one interpretation. My desire was to find the *right* one. It would have been satisfactory to have learnt

this from the Bishop's own lips. As it is, I have spared nothing that labour and research could effect to arrive at the true result. I venture to think that even my most exacting critics will not view this as militating against my avowed desire of writing an independent history.

And now I come to a detestable charge—I use the word advisedly—that I designed to publish certain letters written by the Bishop, without his consent. The *Times* has directly charged me with having said nothing about these letters in the first instance, so that I might have it in my power hereafter to threaten the Bishop with their publication, in case he refused to assist me. I can only regret that any one connected with journalism should have so far degraded himself, while meaning to dishonour me.

When my work was announced in the public prints, I received offers of assistance from various quarters, and, amongst other things, some letters written by the Bishop at different periods were sent for my inspection. When I first wrote to the Bishop my work had not been advertised, and I did not receive the letters for more than three months afterwards. This, then, disposes of the *Times*. Not one of these letters was marked “private,” and, on perusal of them, I found that

there were only a few extracts, relating either to public events, or to theological criticism, which would be likely to interest the general reader. Had it not been for these letters the Bishop would have heard nothing more of me—so little anxious was I for his assistance; but immediately after reading them I did what every honourable man would do under the circumstances, I wrote to his Lordship, saying that I thought it possible that selections from them would be valuable as well as interesting, and offering to wait upon him to submit the extracts, which I proposed to use, for his approval.

I am aware, indeed, that a weekly print has had a great deal to say about the idea of my inviting myself to bed and board at Bishopstowe for an unlimited period, but the writer seems to think that there is no other way of satisfactorily communicating with a bishop except through the medium of a good dinner. In his idea the episcopal heart only expands over a bottle of dry old port. Had he lived in this diocese as long as I have, he would have known better, and would be content to give up the dinner and bed, if he could only command a quiet half-hour of the Bishop's time. And this was really all I wanted—no great thing to ask for, considering

that for eight years and a-half I have been benefited in his Lordship's cathedral city. Had the Bishop consented to see me, my business need not have detained him many minutes. I should have read the passages I proposed to use, (they were very few,) and have ascertained his Lordship's pleasure. If this was not an honest course, I know not what would have been. But in reply to my proposal the Bishop wrote to me saying that he "*declined altogether communicating with me on the matter.*" When he added that on "seeing the letters" he would "tell me whether he would allow the publication of them or not," his Lordship failed to give me credit for that self-respect which it is the pride of every right-minded man to possess. How was he to see them, if he would not communicate with me? Was I to send them to his Lordship's chaplain or secretary to be dealt with in any way they might think fit? Few prudent men would have counselled this step, and most people would have advised me to take the Bishop at his word, and attempt no further communication with him. Had he not been my *Bishop* I should certainly have adopted this course; but with an earnest desire to show all deference to his Lordship, and not without a hope that he might be induced to

express himself less strongly towards me, I wrote the following letter. It was only due to myself to set before him a statement of the case as it affected my position with the public. As matters have turned out, it would have been better if in the first instance some such letter as this had been written :—

“Exeter, July 18, 1862.

“My Lord,—I beg to acknowledge the receipt of your Lordship’s letter of the 13th instant, and to call your Lordship’s attention to the following facts :—

“On the 20th of February last I announced to your Lordship that I had been asked to write your Lordship’s life, and that I had undertaken to do so.

“On the 25th of February your Lordship replied, through Mr. Barnes, that you offered no objection, but that you declined to afford any help.

“Having collected a vast mass of materials, and among them many letters of your Lordship, I wrote on the 11th of July to offer to submit them to your Lordship before publication.

“In your Lordship’s reply of July 13 you decline altogether to communicate with me on the matter.

“Upon the above facts I beg to submit to your Lordship that it had not occurred to me when I wrote my letter of the 11th instant that if, on the one hand, I submitted to your Lordship all letters of your Lordship in my possession, but do not receive, on the other, your Lordship’s assistance towards supplying myself with reliable matter, I shall be in a very unfavourable position with the public, because it must appear that I am writing under your Lordship’s direction, while I am not receiving from your Lordship the assistance which can alone make the book valuable. May I beg your Lordship to consider the position? As I am able to look at it, it seems to



me plain that if I cannot have your Lordship's free assistance I have no alternative but to fulfil my engagement with the publishers in the best way I can.

"I have the honour to remain,

"Your Lordship's obedient servant,

"REGINALD N. SHUTTE.

"The Lord Bishop of Exeter."

The only answer I received to this letter was the copy of a Bill which the Bishop had filed in Chancery, to restrain me from publishing any of those letters, or extracts from them, that I never had any intention of publishing against his wishes! Not a word had fallen from me to lead to the supposition that I meant to use this correspondence without the Bishop's consent. In the letter in which I informed his Lordship that they were in my possession I distinctly acknowledged his right to say whether any portions of them should be published or not. All that my last letter conveyed was, that if he persisted in his determination of not communicating with me, I should not part with the letters, but should go my own way. The truth is that the moment I found that the Bishop would not communicate with me, I gave up all idea of the letters. They were not in any way essential to my work. So that when I told his Lordship that I had no alter-

native but to fulfil my engagement with the publishers in the best way I could, I meant him to understand that no letters, or anything else which he could control, would appear. On reading my letters again I cannot see that they admit of any other sense. A short note addressed to me by the Bishop's chaplain or lawyer would have led me to explain my intentions, if any explanation were wanted. The Bishop, however, preferred to proceed according to process of law, and the energy of his movements induced a portion of the public to believe that I was about to publish certain *private letters* of his—a step which, in common with every upright man, I should reprobate and abhor. I can only emphatically affirm that this book would never have been written had the Bishop objected, and that it was never my intention to give to the world any letters that he might have wished to remain unpublished.

This is the history of the letters. The Bishop (I wish to say it without offence) acted with precipitancy. There was nothing whatever in any of my letters to justify such a step as an appeal to the Court of Chancery, without further explanations. His Lordship ought to have been very clear about my intentions be-

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# Life of the Bishop of Exeter.

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EXETER is proud of its Bishops ; and with good reason, for few Sees can exhibit a roll of more illustrious names.

The original seat of the Bishopric was at Crediton, from whence it was removed to Exeter

by Leofric (A. D. 1050), who was solemnly installed in his new Cathedral by King Edward the Confessor, in person, and thus became the first Bishop of Exeter, properly so called. There had, however, been Bishops of Cornwall and Devonshire for more than a hundred years previously, but they were only suffragans of the See of Sherborne.

Among the more celebrated of the Bishops of Exeter, many of whom were natives of that city, the following deserve to be mentioned.\*

BARTHOLOMEW (A. D. 1161), who was called by Pope Alexander III. "the luminary of the English Church," an appellation to which his rare gifts and profound theological learning fully entitled him. Like the present occupant of the See, he distinguished himself by an uncompromising opposition to his primate (Thomas à Becket).

WILLIAM BRIWERE (A. D. 1224), famous for his faintly life, and the deeds of mercy which he performed in the Holy Land.

WALTER DE STAPLEDON (A. D. 1308), who founded Exeter College, and added largely to his Cathedral. He was brutally murdered by a mob in London.

JOHN DE GRANDISSON (A. D. 1327), renowned for his princely munificence, and the salutary reforms which he effected in his diocese.

RICHARD FOX (A. D. 1487), the chief friend and

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\* For a chronological list of the Bishops of Exeter, see Appendix A.

counsellor of Henry VII, and the founder of Corpus Christi College, Oxford, who united in his single person the characters of statesman, architect, soldier, herald, diplomatist, and prelate : a combination of qualities rare even in those stirring times.

HUGH OLDHAM (A.D. 1504), famed for the splendid encouragement which he gave to literature.

MYLES COVERDALE (A.D. 1551), the translator of the Bible, who was deprived by Queen Mary.

JAMES TURBEVILLE (A.D. 1555), deprived by Queen Elizabeth for refusing to take the Oath of Supremacy.

JOSEPH HALL (A.D. 1627), celebrated for his great literary attainments and theological writings. He was subjected to much ill treatment and persecution.

JOHN GAUDEN (A.D. 1660), the reputed author of the *Εἰκὼν Βασιλική*, and one of the Divines selected to confer with the Presbyterians at the Savoy.

SETH WARD (A.D. 1662), the celebrated Church-restorer.

JONATHAN TRELAWNEY (A.D. 1688), who was one of the seven Bishops imprisoned by James II.

Many of the Bishops of Exeter are famous for the part which they played in history, and their names are preserved in ancient chronicles as Chancellors of the Kingdom, Ambassadors at Foreign Courts, Tutors and Guardians of Royal Children, and Counsellors of Monarchs. It is true that since the Reformation the See has been shorn of much of its temporal dignity, in consequence of the spoliation of its revenues, and it

has too often been regarded merely as a stepping-stone to other and richer preferment; but still the glorious traditions of the past remain, and of all the illustrious prelates who have ruled the Diocese of Exeter, it may be doubted whether any one of them has done more to merit the homage of the Church than the present occupant of the episcopal throne—the 60th in succession from Leofric. His name will survive when those of his contemporaries are forgotten, and the services which he has rendered to religion will be cherished with gratitude, so long as England retains her veneration for the Faith which was once delivered to the Saints.

Among the Bishops of Exeter, some may be found who were of humble origin, and raised themselves from mean stations to the episcopal chair by their talents and learning. The present occupant of it—to his honour be it recorded—is of their number.

HENRY PHILLPOTTS was born at Bridgwater, an inconsiderable Somersetshire town, lying close on the borders of the bloody field of Sedgemoor, and famous for its butter and cheese, on May 6th, 1778, and was baptized in the parish church on the 16th of the same month. He was the second son of Mr. John Phillpotts, who carried on the trade of a brickmaker in that town. In 1782 his father removed to Gloucester, and became the landlord of the “Bell” inn in that city, a tavern of no great pretension. In former times none but freemen were allowed to keep inns or hotels in corporate towns; and when any person who was not

a freeman, or a stranger coming from a distance, desired to do so, it was necessary that he should first be admitted as a freeman—usually by the payment of a fine. Mr. John Phillpotts was admitted as a freeman of Gloucester, in consideration of a fine, on 28th September, 1782, and immediately afterwards took possession of the inn.

It is not a little remarkable that the celebrated Non-conformist, George Whitfield, was in 1714 born at the "Bell," at Gloucester, of which his father was the host. Unlike his illustrious predecessor, however, the future prelate does not appear to have mingled in the business of the house, thereby escaping those perils into which Whitfield fell, when, to use his own words,—"I put on my blue apron and my snuffers, washed mops, cleaned rooms, and, in one word, became professed and common drawer for nigh a year and a-half." Better things than this were in store for the subject of this history, for his father subsequently relinquished the business of inn-keeping, and became an auctioneer, and land and timber surveyor. At this period he resided at Wallfworth, near Gloucester, and was fortunate enough to be appointed land agent of the Dean and Chapter, 30th November, 1799, an introduction which afterwards led to his eldest son becoming chapter clerk. He died at Gloucester, widely and deservedly respected, February 22, 1814, aged 70 years; and his widow, Mrs. Sybella Phillpotts, who lived to see her son ascend the episcopal throne, also died in that city, December 31, 1833, at the advanced age of 81.



The early education of Henry Phillpotts was received at the College School at Gloucester, and it fell to the lot of the Rev. Arthur Benoni Evans, a sound scholar as well as a man of some literary taste, to mould the youthful intellect of the future prelate. At this time he was remarkable more for his steady and industrious habits, than for any brilliancy of mental power, or originality of thought. After passing through the usual routine of classical studies, such as was then in favour in provincial towns, he proceeded to Oxford, and it is much to his credit that, without any of those advantages of education which are inseparable from large public schools, he was able successfully to compete for a scholarship.

On November 7, 1791, he was matriculated at Corpus Christi College, at an age when most boys have scarcely left the nursery—*thirteen* years. This was the college of Cardinal Pole, Jewel, Hooker, John Hales, and other celebrities. His extreme youth did not prevent him from securing some of the substantial honours and emoluments of the University; for, having taken his B.A. degree, 3rd June, 1795, he was in the following month elected a Probationer Fellow of Magdalene College on the Somerset Foundation. In the same year also he became University Prizeman, his Essay on “the Influence of a Religious Principle” being adjudged the best.

And now a splendid career was opening before him. A ripe scholar, and a Fellow of a distinguished House, at an age when most boys are still at school, it would

have been easy to predict that the highest honours of any profession, which he might follow, would await him. His painstaking habits, joined to indomitable steadfastness of purpose, rendered success inevitable. Even his enemies have been compelled to acknowledge that if he had carried his talents and application to the Bar, he might have rivalled the greatest of English Chancellors.

It was at this time that he was honoured with the notice of one, who was destined to exercise a powerful and beneficial influence over his future life. In the same year that Mr. Phillpotts entered Oxford, Dr. Martin Routh was elected President of Magdalene College, and to him it belonged to mould the mind of the youthful Fellow, and instil into it those sound principles of theology which qualified him in later years to become the uncompromising champion of the Faith. What Mr. Phillpotts owed to his intercourse with this gifted scholar and divine—the one living memorial that linked our days to those of the Pearsons, and other giants of theology—it would not be easy to say. To him, above all others, Mr. Phillpotts seems to have opened the hidden recesses of his soul. A faithful counsellor in difficulties, a ready reference in controversy, a scholar whose well-stored mind was never at a loss for an apt quotation, a friend whose instincts soared above all earthly considerations, Dr. Routh was the man of all others to win and fashion to noble purposes the ardent spirit of Mr. Phillpotts. It is due to both of them to say that the friendship

thus early begun was only terminated by Dr. Routh's death in December, 1854, at a patriarchal age, and that to the very last his former pupil was accustomed to seek his counsel with all the affectionate respect of earlier days. Even when the good old President had seen him rise to fame and honours, he still felt towards him as a father, and often was his eye seen to brighten when he heard how well he was fighting the good fight, and was laying hold on eternal life.

Another of Mr. Phillpotts' earliest friends at Oxford was Mr. Coplestone, afterwards Provost of Oriel, Dean of S. Paul's, and Bishop of Llandaff. A scholar of the highest order, and courtier-like in manners, it is probable that this distinguished prelate approached, nearer than any man of his day, to Burke's standard of perfection in conversation—"not to play a regular sonata, but, like the Æolian harp, to await the inspiration of the passing breeze;" and the charm of his friendship will long be a cherished remembrance to all those who were honoured with it.

It was while in daily intercourse with such men as these that Mr. Phillpotts' choice of a path in life was made. The first step, however, was taken with much deliberation; for it was not until seven years after his Bachelor's degree that he was admitted to Holy Orders. Meanwhile, the dignified leisure of a Fellowship on the splendid foundation of William of Waynflete, gave him all the opportunity that was wanted for cultivating his literary tastes, associating with the ripest scholars, and strengthening the foundation of those ac-

quirements which were to be his bulwark in many a storm to come.

On the 18th of April, 1798, he proceeded to the degree of M.A., and on the 25th of July, 1800, he was elected Prælector of Moral Philosophy. In 1802 he was appointed one of the first examiners of candidates for University honours, jointly with the late Bishop of Llandaff (Dr. Edward Coplestone), and other distinguished scholars. On the 13th of June in the same year he was ordained Deacon by Dr. John Randolph, Bishop of Oxford. In 1803 he was again appointed one of the examiners of candidates for University honours. On the 23rd of February, 1804, he was ordained Priest, at Chester, by Dr. Henry William Majendie, the bishop of that diocese; and on the 27th of October in the same year he resigned his Fellowship, having married Deborah Maria, daughter of William Surtees, Esq., of Bath, and niece of Lady Eldon. On the 5th of November he was selected to preach before the University on the Gunpowder Treason.

In the following year (1805) the Principalship of Hertford College became vacant by the death of Dr. Hodgson. This college, under the title of Hert Hall, had been inhabited by students so early as the reign of Edward I, and in the following reign it was conveyed to Walter de Stapledon, founder of Exeter College. In the early part of the eighteenth century, Dr. Newton, the Principal, obtained from George II. a Royal Charter for converting it into a college, under the title

of Hertford College. The attempt was unsuccessful, and the establishment gradually languished for want of funds. On the death of Dr. Hodgson the Principalship was offered to Mr. Phillpotts, but, with commendable prudence, he declined it, as there were many vexatious regulations which he would have been obliged to swear that he would keep; and, the time for the appointment of a Principal having elapsed, the Corporation became extinct.

Before quitting this portion of the subject, it may be well to notice that Mr. Phillpotts proceeded to the degrees of Bachelor and Doctor of Divinity on the 28th of June, 1821, and that he was elected an Honorary Fellow of Magdalene College on the 2nd of February, 1862. This distinction was conferred on him in consequence of the new ordinance of the University Commissioners having allowed the College to elect a certain number of Honorary Fellows, without emolument, as a mark of honour. Besides the subject of this history, the only other Honorary Fellows of Magdalene College are Sir Roundell Palmer and the Earl of Rossé.

The first benefice held by Mr. Phillpotts was the vicarage of Kilmerdon, with the chapelry of Ashwick, near Bath, in the diocese of Bath and Wells, to which he was presented by the Crown, 1st September, 1804. The value of this living is 244 *l.* per annum, and the population at the present time is 2,200. He continued to hold this benefice until April 1806; but it does not appear that he ever resided there, since all

*Chaplain to the Bishop of Durham.* 11

the entries in the parish register during his incumbency are by Daniel Drape, curate, and there are no traditions preserved of his residence.

On 24th December in the following year (1805) he was instituted to Stainton-le-street, in the diocese of Durham, value 360*l.*; population 150; patron, the Crown. His name does not appear in the parish register, and it is believed that he never resided there. If it should excite surprise that so young a man, as Mr. Phillpotts then was, who had stepped at once from Oxford life into a benefice which would now-a-days be thought a sufficient provision for a parish priest after years of labour, should have been permitted to hold two livings at the same time, without residing upon either of them, it must be pleaded that he was in affinity to Lord Chancellor Eldon.

In 1806 Mr. Phillpotts became chaplain to the Bishop of Durham (Dr. Shute Barrington), that distinguished prelate having been attracted towards him by the fame of his ability and learning—an appointment which he continued to hold until the bishop's death, twenty years afterwards. His studies had early been directed to the Roman Catholic controversy, and an opportunity was soon afforded for testing the depth and solidity of his acquirements. In 1806 Bishop Barrington delivered a charge to the clergy of the diocese of Durham, which was afterwards published at their request, on "the Grounds on which the Church of England separated from the Church of Rome." This was animadverted upon in no very measured

terms by an anonymous writer, who was generally supposed to be Dr. Lingard, the Roman Catholic historian. Mr. Phillpotts boldly stood forward in defence of his diocesan. Several small pamphlets were written on both sides with considerable ability, and Mr. Phillpotts fully established his reputation as an accurate thinker, and a controversial writer of no mean order. The controversy was renewed several years later with a more ingenuous opponent than Dr. Lingard had proved himself to be, when the corruptions of the Roman Church were most completely exposed. It will save needless repetition, therefore, if remarks on Mr. Phillpotts' conduct in reference to the Roman Catholic question are deferred until his letters to Mr. Charles Butler come under consideration.

In the spring of 1806, as has been already stated, Mr. Phillpotts resigned the living of Kilmerston, and on June 28th, in the same year, he was presented by the Crown to Bishop Middleham, in the Diocese of Durham. This living was held by him *in commendam* with Stainton, and as he fixed his residence here for about two years, it will be well to give some account of the parish. It is a village of considerable size, irregularly built on two sloping limestone hills, and in the valley between them. The place is possessed of antiquarian interest, the Castle of Middleham having been a principal residence of the Bishops of Durham from the Conquest till the end of the 14th century. Until 1844, the church was covered with white-wash, and had been disfigured at every available point by village craftsmen, modern

fashes taking the place of lancet windows. It has recently been restored by Mrs. Surtees, the widow of Robert Surtees, Esq., of Mainsforth, who has a life-rent in some property in the parish. A school-room, with small garden attached, was built by subscription in 1770. No traces of Mr. Phillpotts' incumbency remain, beyond some anecdotes which prove him to have been an active and not always a popular magistrate. It may, however, be mentioned, that his second and third children (a son and daughter) were christened at Bishop Middleham, the former having been born in the January previous to his institution to the living.

The next preferment of Mr. Phillpotts was the large and important Parish of Gateshead, to which he was collated by the Bishop of Durham in 1808.\* The value of this living is about 1,050*l.* per annum, and the Rector is also *ex officio* master of the ancient hospital of King James in Gateshead, deriving from it an income of about 250*l.* per annum. The parish, as it now exists, contains about 26,000 souls, but during Mr. Phillpotts' incumbency it was co-extensive with the borough, which now contains 35,000 inhabitants. The Rectory was formerly a good house with gardens, and a view towards the river; but it was gradually surrounded by iron works and other factories. The railway company purchased it, and the successor

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\* The day of the month cannot be given, as the first subscription book of Bishop Barrington, relating to the period at which the institution of Mr. Phillpotts took place, has been lost.



14    *Presented to Living of S. Margaret.*

of Mr. Phillpotts, the Rev. J. Collinson, removed to a handsome and commodious house, nearly a mile to the west of the parish church, which is now the rectory. The church is spacious, and of regular architecture, consisting of a nave, with uniform aisles, west tower, chancel and transept. The whole of the lights are modern. There are no details of interest during the short incumbency of Mr. Phillpotts; and the only circumstance to be recorded is that his second son was born in this parish.

The friendship of the Bishop of Durham was now bearing most abundant fruit, and in the following year (1809) Mr. Phillpotts was collated to the ninth Prebendal Stall\* in the Cathedral Church of Christ and the Blessed Virgin Mary in Durham. If a canonry is a post of dignity, it is, at least, no empty honour; and when it is remembered that Mr. Phillpotts, who was now thirty-one years of age, had already held *four* livings, besides a prebendal stall, it must be confessed that he was fortunate in obtaining such speedy and substantial recognition of his merits.

Mr. Phillpotts now resided for a considerable portion of the year in Durham, and on the Chapelry of S. Margaret in that city becoming vacant, he was presented to it by the Dean and Chapter, the 28th of September, 1810. The parish is an important one, and contains at the present time 6,916 inhabitants. The church was originally one of the four chapels dependent on

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\* Canonry.

the parochial church of S. Oswald. It stands on the ascent of the hill, where South Street branches from Crossgate. The value of the Living is about 330*l.* per annum. During the incumbency of Mr. Phillpotts there were no schools; but one for boys and another for girls was built in 1860. A parsonage house was also built in 1849.

Some ill-feeling was caused by the presentation of Mr. Phillpotts to this living. The Minor Canons regarded it as a peculiar of their own, and one of their number made no secret of his disappointment at his supposed claim having been disregarded. Mr. Phillpotts is well remembered by the parishioners as a hard-working and zealous clergyman, gifted with great administrative ability, and singularly earnest in all the duties of his office. The vestry meetings were not always of the most harmonious description, and the tact and address with which he controlled turbulent spirits gave evidence of the capacity which he afterwards displayed in more important posts, and under more trying circumstances.

In the year 1814 Mr. Phillpotts was selected to preach the sermon at the Anniversary Meeting of the Sons of the Clergy in S. Paul's Cathedral (May 12). His text was 1 *Tim.* iii. 12 :—"Let the deacons be the husbands of one wife, ruling their children and their own houses well." There is nothing remarkable in the sermon, except a passage relating to the disqualification of a divorced person from undertaking any clerical office, which is not altogether inappropriate

to times which have witnessed a clergyman seeking for relief from the matrimonial bond in the Divorce Court :—

“ The extreme facility with which divorces were effected, not only among the Greeks and Romans, but also under the Jewish law, was more than once remarked on by our Blessed Lord in the course of His ministry ; and He was pleased to testify His reprobation of the practice in the strongest terms, and also to establish in His new Kingdom an institute, according better with that purity of heart and life which it was one main object of His mission to inculcate. Since, however, the practice was so prevalent, and had hitherto been deemed so innocent, it must have happened, in many instances, that the new convert to Christianity was already the husband of a second wife during the lifetime of one whom he had divorced. Now, what had legally been done before his admission into the Church would not necessarily be annulled even by that law which forbade its followers to use the same licence. The last contract would still subsist ; nor would baptism dissolve an union which the law of Moses, or of the civil government, had sanctioned. Yet still as the precept of the Gospel was in direct opposition to it, and as the minister of Christ would have to inculcate this as well as the other branches of Christian morality, it was obviously unseemly that he should be living himself in a connection which the pure law of the Gospel would compel him to denounce in future as adulterous. It became, therefore, the spirit of a religion, jealous of the character of its ministers, to prevent this scandal ; and while it did not annul the contract, to exclude those who had engaged in it from being ordained to any of the holy offices of the Church.”

It may be interesting to notice that in the above extract Mr. Phillpotts is following closely in the steps of S. Augustine, who says (*De Bono Conjugali*, 18) :—

“ On this account the sacrament of marriage of our time hath been so reduced to one man and one wife, as that it is not lawful to ordain any as a steward of the Church, save the husband of one wife. And this they have understood more acutely who have been of opinion, that neither is he to be ordained, who as a catechumen or as a heathen had a second wife. For it is a matter of sacrament, not of sin. But on account of the sanctity of the sacrament, as a female, although it be as a catechumen that she hath suffered violence, cannot after baptism be consecrated among the virgins of God; so there was no absurdity in supposing of him who had exceeded the number of one wife, not that he had committed any sin, but that he had lost a certain prescript rule of a sacrament, necessary not unto desert of good life, but unto the seal of ecclesiastical ordination.”

The rest of Mr. Phillpotts' sermon is taken up with a consideration of the arguments in favour of a married priesthood; but as our clergy commonly evince little reluctance to enter upon the state of matrimony, it will be needless to recapitulate them. It was followed by a collection of 914*l.* 10*s.*

Two more children were born to Mr. Phillpotts before he received his next important piece of preferment—the second stall in Durham Cathedral, to which he was collated by the bishop, December 30, 1815, on the death of Dr. Thomas Zouch. This stall, although not the richest in the Cathedral, was considerably greater in value than the ninth, to which he had already been preferred. He held it for five years, during which time four children were born to him.

And now we approach the period of his literary labours.

## CHAPTER II.

*Ancient Provision for the Poor. Various Enactments. Vagrancy prevented. The Law of Settlement. Disadvantages of Existing System. Proposals for remedying them. Mr. Sturges Bourne's Motion. Mr. Phillpotts opposed to it. His Letter to Mr. Sturges Bourne. The existing Law not complex. Expense incurred by Parishes in litigation and removals. Debasing effect of Paupers recording that they have acquired a Settlement. Injustice of returning upon Parishes aged Paupers who have lived elsewhere. The real Grievance stated. Danger of drawing Agricultural Labourers into Towns. Removal of Paupers to their legal Settlement, and separation from their friends and connections. Character of Overseers. General Merits of Mr. Phillpotts' Letter to Mr. Sturges Bourne.*



IN the year 1819 the attention of the country was directed to the Poor Laws, one of the most difficult and important questions which it has ever fallen to the lot of Parliament to consider. Previous to the Conquest the duty of providing for the maintenance of the poor, who were unable to support themselves, devolved upon "parsons, rectors, and the parishioners, so that none of them should die for want of sustenance."\* It is said that a fourth part of the tithes was devoted to this purpose, and administered by the

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\* "Horne's Mirror of Justice," c. i. s. 3.

incumbent under the direction of the bishop. After the Conquest, ecclesiastical revenues were still devoted to the same purpose, and monks became the relieving officers, and monasteries the poor-houses of the land. From that period till the time of Henry VIII. the same custom prevailed, and the wants of the poor were supplied by the clergy with pious care. It is worthy of remark, as showing the fidelity with which this trust was discharged, that the first legislative attempt to provide for the poor was made in the same year when the property of so many religious houses was vested in the Crown.\*

A statute for compulsory assessment for the poor was passed in the 14th Elizabeth. This was afterwards confirmed by the 43rd of the same reign (chap. 2), which enacted that a convenient stock should be provided to set the poor on work, and that this should be dispensed by the overseers of the parish. It was thought necessary to pass another Act (13 & 14 Charles II. chap. 12), on account of poor people wandering from one parish to another, where they were likely to find the best stock, "and at last becoming rogues and vagabonds, to the great discouragement of parishes to provide stocks, where they are liable to be devoured by strangers." Vagrancy of the kind alluded to was prevented by a certificate from the parochial authorities, which the pauper was com-

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\* 27 Hen. VIII. c. 28, which contains the first provision by which particular districts are directed to support the poor.

pelled to carry with him when he quitted his parish ; failing this, he was liable, within forty days, to be taken before a justice of the peace, and sent back to his own parish.

It would occupy too much space, although it would be an interesting employment, to describe the various steps of legislative enactment in reference to the law of settlement. Suffice it to say that it was surrounded and limited by certain rules and restrictions, which were relaxed or tightened according to the temper of the times. It may safely be affirmed, however, that no attempt at legislation was, upon the whole, satisfactory, although the general tendency was to discourage vagrancy, and give more freedom to the industrious poor.

Thus matters remained until the termination of a long and bloody war left the kingdom free to contend with one of its greatest domestic evils. It was in the year 1819 that the advocates of amendment of the Law of Settlement were strenuous in urging the disadvantages of the existing system, which they summed up under three heads :—

1. The enormous expense incurred by parishes in prosecuting and defending appeals, and in removing paupers.

2. The injustice under which parishes laboured to which old paupers were sent back, after they had spent their youth and strength elsewhere.

3. The hardship upon the paupers who, having resided many years and formed connections at a dif-

tance, were sent home to their parishes, and separated from all their friends and consolations, to die in a remote poor-house.

In order to remove these evils, it was proposed that a settlement should be acquired by residence only, and not, as heretofore, by residence combined with certain qualifications. The difficulty was, what length of residence should confer a settlement. One advantage would be gained, in the opinion of the favourers of the scheme, for if a reasonable period were fixed upon, it would obviate the separation of an aged pauper from his friends, provided he went before a magistrate and made oath of his residence. In cases of dispute, it was proposed that an appeal should lie, not to the Quarter Sessions, but to two magistrates, and thus avoid all needless expense.

One of the foremost advocates of this measure in the House of Commons was Mr. Sturges Bourne, who, on the 25th of March, 1819, moved for leave to bring in a Bill to regulate the settlement of the poor. As an active justice of the peace, Mr. Phillpotts had devoted himself to a careful study of all that related to this most perplexing question, and he believed that the proposed amendment of the law would by no means be productive of such beneficial results as were commonly anticipated. He, therefore, addressed a letter, on the 6th of April, to Mr. Sturges Bourne,\* for the purpose

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\* "A Letter to the Right Hon. William Sturges Bourne, M.P., on a Bill introduced by him into Parliament to amend



of showing that the system of the Law of Settlement then existing was not fairly open to the charge of complexity alleged against it, and that the three evils already referred to would not be lessened by the proposed amendment. On the first point he remarks with much acuteness:—

“The most perfect simplicity, be it remembered, is very consistent with a great number of particulars. A single sweeping provision will, indeed, necessarily be simple; but it will not follow that it may not be exposed by its very simplicity to many of the same consequences as result from a system of extreme intricacy. The main objection to a very complex law is the difficulty of applying it; but, surely, this difficulty may equally be caused by the extreme simplicity of the law, if it meet not with a corresponding simplicity in the facts to which it is to be applied.”

In reference to the first of the three evils to be remedied by the new law,—the enormous expense incurred by parishes in litigation and removals,—Mr. Phillpotts asserts that it amounts to not more than one twentieth part of the whole sum disbursed on the poor, or about three-halfpence in the pound on the entire rental of England. He admits that almost the whole of this would ultimately be saved, but adds:—

“In the earlier stages of its operation, and for a considerable length of time, I am greatly mistaken if it would not

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the laws respecting the settlement of the poor, by the Rev. Henry Phillpotts, M. A., Prebendary of Durham, and one of his Majesty's Justices of the Peace for the County Palatine of Durham.”

multiply and aggravate the mischief in an incalculable degree."

The necessity for introducing a provision into the new Bill, empowering every person, as soon as he has resided in a parish long enough to gain a settlement, to make a record of his having done so, and thus to arm himself with evidence against the time when he comes to claim parish relief, draws from Mr. Phillpotts an earnest and eloquent protest:—

"Nothing can be further from my intention than to say one word derogatory to the wisdom of the general views of those enlightened men who have passed this Bill. But it is because I have a very high opinion of their wisdom, that my astonishment is excited by a provision which directly contradicts the main principle, which bitter experience has taught us to recognize in the policy of poor laws. Surely the great desideratum of all is to find some method of reanimating the spirit of proper independence in the lower orders, of withdrawing their views from the parish fund, and inducing them to struggle hard against the degradation of being compelled to have recourse to it. Yet here we find the legislature itself pursuing a directly contrary course, and inviting the labourer to familiarize himself as early as possible with the prospect of being a pauper, to connect it with all his plans of industry or idleness—in short, to associate the notion of right, and privilege of triumph over the overseer, and future gain for himself and his family, with that which never ought to be contemplated by a man in health and vigour, but as a disgrace to be shunned, or a misfortune to be deprecated."

In reference to the second evil,—the injustice to parishes of returning upon them aged or infirm paupers, whose youth and strength have been spent elsewhere,—Mr. Phillpotts asserts that it is not a

## 24      *Danger of drawing Agricultural*

common case for aged paupers to be removed to the scenes of their infancy ; and even in cases where it takes place, he fails to see the injustice done to their parishes. The real grievance, although it is not openly stated, he declares to be that the poor who reside in towns, particularly the manufacturing poor, are often removed to country parishes, which would be glad to be excused from the burden of maintaining any other decayed labourers than their own.

“ But let us,” says Mr. Phillpotts, “ consider this matter a little more particularly. It will not be denied that a large portion of the natives of every country parish are provided for by the occupation afforded in towns. Reference to the register of all such parishes will show that the deaths in them bear no proportion to the births ; that there is, therefore, a constant stream of population flowing from the country into the towns. Is it then inequitable, as seems to be presumed, that part of the charge of maintaining these same persons in their decay or distress should fall on the districts which gave them birth, but which have been relieved from the burden of finding employment or support for them in their earlier years ? ”

The danger of perpetually drawing agricultural labourers into towns is very forcibly stated by Mr. Phillpotts :—

“ I presume to add another consideration, which, obvious as it is, seems to be disregarded : I mean the mischief of drawing the lower orders of people from the country into towns ; a mischief of which it is hard to say whether it be more formidable to the morals and happiness of the people, or to the peace and security of the state. Already the evil is felt and lamented by many of the most enlightened friends of the poor throughout the land. While the population of

the whole island is advancing so rapidly, that according to the same rate of progression it will have doubled itself in little more than fifty years, in some of the ancient agricultural parishes it is hardly sustained at its former level; in some it is even retrograding. Already it is not an uncommon thing for rural labourers to live in the adjacent towns, and never can this take place without injury to those characteristic excellencies which were wont to distinguish the English peasant."

In reference to the third evil,—the hardship which befalls paupers, who having resided many years, and formed connections, at a distance, are sent away to their legal settlements, and separated from their friends and acquaintances to die in a remote poor-house,—Mr. Phillpotts admits that cases of this kind occasionally do occur, but denies that they happen so often as to make them a fit object of a remedial law. As a proof of this, he instances the well-known accommodation between the absent pauper and his overseer, which enables him to receive relief without being removed to his parish. Overseers, in Mr. Phillpotts' eyes, are models of courtesy and generosity. Harshness is unknown, or only known to be reprobated.

"For one instance," he affirms, "where a reasonable arrangement is prevented by the obstinacy or inhumanity of the overseer, I believe that fifty may be found where it takes place most improperly."

Mr. Phillpotts' experiences have evidently lain in pleasant pastures. He believes that relieving officers are to the poor the smiling and urbane officials that they appear to him. A few months' work in the lanes

and alleys of one of our crowded cities might have undeceived him. The parochial "Bumbles" have not acquired their reputation for nothing.

That these officials have occasionally very trying duties to perform is true enough, but it is equally true that tyranny and rigour are as often seen as pity and discretion. But, after all, the fault does not lie so much with the relieving officers as with their employers—the Poor Law Guardians—whose sole aim appears to be to compress the rates into the smallest possible compass. If a few widows and orphans are crushed in the process, who has any right to complain? The rates are kept low, and if that is not enough, what more do "liberals" want? \*

But presently Mr. Phillpotts descends from the amenities of overseers, and touches upon the real principle at issue in the removal of aged paupers:—

"I do not see why so great a benefit as gratuitous support at the expense of the public should be thought hardly earned by compliance with a condition, which the good of the public requires. If, even in this age of excessive sensibility, it were attempted to excite our compassion for the unhappy officer, or soldier, whose subsistence is made to depend on a condition often the most painful to his feelings, 'who is torn from his family and connections to die in a remote garrison'

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\* These remarks are not intended to apply in any special sense to the place in which they are written. They are founded on an extended observation, and the writer has much pleasure in testifying to the courteous attention which he has always received from the Secretary of the Corporation of the Poor in Exeter, as well as from the officers under his control.

—few of us, I conceive, would think the complaint worthy of a serious answer. I am myself hard-hearted enough to feel as little sympathy in the present instance.”

After this avowal, it is needless to say that Mr. Phillpotts is wedded to the existing order of things.

Some observations on the “misjudging tenderness” in the administration of the Poor Laws bring this letter to a conclusion. It is written with some ability, and with considerable knowledge of the subject from a theoretical point of view. There is, however, an entire absence of everything that would denote a practical acquaintance with the workings of a most intricate and difficult law. Mr. Phillpotts professes very great respect for Mr. Sturges Bourne and his companions in philanthropic labour; there is, therefore, no trace of those pungent ingredients which give a relish to most of his earlier performances. Compared, then, with his other pamphlets, this letter of Mr. Phillpotts must be described as tame. There is nothing in it to mark the future opponent of Jeffrey, Grey, and Canning. It is the production of a country clergyman, well-skilled in Quarter Sessions, and gifted with a certain aptitude for making the best of his case; but it is nothing more.

## CHAPTER III.

*Letter of Mr. Phillpotts to Lord Grey on the Roman Catholic Question. Remarks on his Style. Lord Grey's Motion for Repeal of the Test Act. Mr. Phillpotts' Motives in addressing him. His Qualifications for the task. Inducements for the Clergy to mingle in Politics at the commencement of this century. The Tone of Mr. Phillpotts' Earlier Writings accounted for. Hardship of the Test. How it might have been obviated. Roman Catholic Writers anxious to show that there is very little difference of Doctrine between the Churches of England and Rome. Dishonesty of the Attempt. Summary of the chief Differences in Doctrine between the two Churches. Archbishop Wake and the Doctors of the Sorbonne. The Archbishop improperly quoted by Lord Grey. An Account of his Attempt to reconcile the Anglican and Gallican Churches. Du Pin's "Commonitorium." The Real Presence vindicated. The Object of Lord Grey's Speech on the Test Act. The Source from whence he derived the greater part of his Theological Arguments. His Lordship's Remarks upon the 18th Article of Religion and the Athanasian Creed. Intrepid Conduct of Mr. Phillpotts. Defence of the Athanasian Creed. The Condemnatory Clauses. Character of the Letter to Lord Grey. Mr. Phillpotts not an entire Exclusionist.*



HE letter to Mr. Sturges Bourne was quickly followed by another on a very different subject. And here, for the present, Mr. Phillpotts thought fit to withhold his name; but, if he desired concealment, his wish was not destined to be gratified, for it soon became known, beyond the circle of his friends, that he was the "Clergyman of the Diocese of Durham" who

had published (30th of June, 1819,) a Letter to Lord Grey on the Roman Catholic question.\* If all other proofs of the authorship were wanting, a convincing one might be found in the way in which the writer addresses himself to his task. First of all there is lavish praise, and then there is as liberal blame. And this is the way in which Mr. Phillpotts specially delights to deal with opponents. His mode of treatment may be called the lubricating process. The oil with which the razor is plentifully smeared, if it softens the flesh, only makes the gash the deeper. Thus, at the commencement of this letter, Lord Grey is, truly enough, described as "eminently distinguished by talents and eloquence, and, above all, by a character for political and private honour, which stamped an additional value on all his high endowments;" while, at the close, Mr. Phillpotts assures him, though "in no invidious sense," that he has "yet to learn what the pure spirit of Christianity is," and that it was "necessary that some member of the Church of England should protest publicly against opinions as injurious to the honour of that Church as they are destitute of all solid foundation."

This letter to Lord Grey was occasioned by an eloquent and animated speech delivered by his lordship

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\* "A Letter to the Rt. Hon. Earl Grey, occasioned by his Lordship's Speech in the House of Lords, on moving the second reading of his Bill for Abrogating the Declarations contained in the 25th and 30th of Charles II, commonly called 'the Test against Popery.'" This letter is signed, "A Clergyman of the Diocese of Durham."



in the House of Lords, June the 10th, 1819, on his moving the second reading of the Roman Catholic Relief Bill, with special reference to the Test Act. The motion was rendered remarkable, among those which were periodically made on the same subject, from its having been seconded by the Bishop of Norwich (Dr. Bathurst), who refused, as he said,

"To make the symbol of atoning grace  
An office key, a pick-lock to a place."

But, in spite of the episcopal sanction thus accorded to the Bill, it met with little sympathy in the House, and was lost by a majority of fifty-nine.

That the measure had been defeated would have been enough for most men, but in the judgment of Mr. Phillpotts it required a letter to make the victory complete. Within the month, therefore, a letter was forthcoming. It opens, as has been already said, with some complimentary remarks on the character and endowments of Lord Grey. The writer then proceeds to say that, though the Roman Catholic question seems to him to be purely *political*, yet, so many religious topics had been unnecessarily dragged into the discussion, and particularly by his lordship, that he thinks it not foreign to his office to expose positions which are wholly untenable, and facts which have been greatly misapprehended.

There can be little doubt that Mr. Phillpotts possessed the requisite qualifications for the task which he had undertaken, and that he fulfilled it, upon the

whole, with judgment and moderation ; but how far it is becoming in a clergyman to mingle in a question which he admits is purely political, for the sake of exposing the bad theology of a statesman, must be determined, to some extent, according to the spirit and feeling of the times. Now-a-days the attempt would be intolerable, and would be met with cold disdain. The offending pastor would be remitted to his parish with an unmistakeable hint to mind his own business. But fifty years ago the case was different. Clergymen then mingled freely in all the contests of a stirring age. It was not thought beneath the gravity of their calling to assume the part of whippers-in at elections, or of political lampooners. A pamphlet had often led the way to a stall. Rich livings had been won by still more questionable means. Hence it was that men fitted to shine in the world of letters, or ambitious to earn a minister's regard, were dragged, however reluctantly, into the whirlpool of political controversy. The fault was not entirely their own. They might, indeed, have followed the obscurer life of pastoral usefulness ; but, once having quitted it, they were impelled by the necessities of an imperious age. And this may help to account for the controversial tone of the whole of Mr. Phillpotts' writings, up to the time of his elevation to the Episcopal Bench. His political sentiments were keen and well-defined, his temper was ardent, his attachment to his party was strong : what wonder, then, if, in an age which valued and rewarded these qualities, he should often be seen in the front

rank of the battle, singling out for combat the most giant-like of his opponents?

But to return to the letter. Mr. Phillpotts readily enough admits that there is "a palpable anomaly in exacting from civil officers a much more violent declaration against these tenets\* than is required as a qualification even for admittance into Holy Orders."

The injustice of this is manifest. But because the Test was a hardship it did not follow that henceforward there should be *no* security at all. If, instead of seeking altogether to repeal the Test, Lord Grey had suggested the adoption of some milder form of security, he would in all probability have carried with him the majority of the thinking men in the country.

But while Mr. Phillpotts admits that the object of the Test might be equally well obtained by adopting a less offensive form of security, yet believing the propositions embodied in it to be not only true, but of main importance to the cause of pure religion, he feels it his duty to address his lordship. And this brings him to the chief subject of his letter:—

"One of the most striking characteristics of your speech," he says, "is a readiness to inculcate the notion that there is, in reality, very little difference of doctrine between the Churches of England and of Rome. The attempt is not a new one. It has long been the usage of the most wary advocates of the latter Church, when defending their cause before the Protestants both of this country and of France, to state their tenets, and describe their practices, in a manner

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\* Embodied in the Test Act.

the least offensive to the principles of those whom they address. Such a policy, restrained within the bounds of truth and sincerity, would merit nothing but commendation. These, however, are not restraints which the writers of that communion have always thought it necessary to observe. From the age of Bossuet to the present time there have never been wanting men who will strain, or compress, the doctrines of their Church to whatever point the interests of the day may require : and if the more staunch and artless believers are sometimes shocked by the latitude in which they indulge, it is seldom difficult to prevent or to palliate the scandal of an open rupture."

A little further on he sums up what he conceives to be the chief differences in doctrine between the two Churches :—

"If no political bias had influenced your judgment, it would have been impossible for you to overlook the wide and irremovable barrier which separates the tenets of your own Church from the corruptions of Rome. You could not have forgotten that the majority of our Articles are framed in direct opposition to those corruptions ; that in what relates to the rule of Christian Faith—to man's justification—to the nature of good works, whether they be meritorious—to the Church, its fallibility, and its authority—to the duty of religious worship, whether it is to be confined to God, or communicated to the Virgin Mary, angels, or saints—to the adoration of images and relics—to Common Prayer in language understood by all—to the Sacraments, their number, matter, form, and efficacy—to the sacrifice of Christ upon the Cross, and the perfect propitiation and satisfaction wrought by it for the sins of men—to His mediation and intercession for us with the Father,—that in all and every of these particulars, there are irreconcilable differences between the two Churches."

But by far the most interesting part of this letter is that which relates to the correspondence of Archbishop Wake with the Doctors of the Sorbonne. Lord Grey, in the course of his speech, had quoted a passage from the writings of this distinguished prelate, setting forth that, in a comparison between the Church of England and the Church of Rome, "their articles of faith differed very little, their discipline still less, and that in fundamentals they were nearly the same." For the *Church of Rome* evidently ought to be read the *Gallican Church*; and the letter, from which Lord Grey quotes, relates to the scheme which the Archbishop had formed of reconciling the Anglican and Gallican Churches. If the statement of such a keen controversialist as Archbishop Wake were left unexplained, the most serious mischief would be likely to ensue; Mr. Phillpotts, therefore, having devoted much time and trouble to the consideration of this subject, and having invoked the aid of one of the greatest of living scholars, proceeds to sum up the result of his researches as follows:—

"During the violent proceedings of the Court of Rome against that part of the Gallican Church which refused to receive the bull 'Unigenitus' as an ecclesiastical law, some doctors of the Sorbonne, particularly Du Pin, the ablest and most distinguished among them, whether from a sincere intention of shaking off the Papal yoke, which seemed to be borne with some impatience throughout France, or merely with the hope and purpose of terrifying the Vatican into better treatment of themselves, or perhaps from a mixture of both these motives, testified their wish for

a reconciliation with the Church of England. Archbishop Wake, to whom this intimation was conveyed, answered, as became a Christian Bishop, in terms which at once bespoke his anxious desire of peace and union, and his inflexible constancy in the cause of truth. In the progress of the correspondence the French Divines began to form a plan of union, and even to state the terms on which they were willing to effect it. Du Pin drew up a paper, entitled, '*Compendium de Modis ineundæ pacis inter Ecclesias Anglicanam et Gallicanam.*' Without entering largely into the contents of this document (a copy of which is still extant among the Wake MSS. in the library of Christ Church, Oxford), it may be sufficient to say, that it examined separately the Articles of the Church of England, specifying the extent to which agreement with them could be carried; and that in many important particulars great concessions were made, especially the sufficiency of the Holy Scriptures for salvation, with a slight salvo for tradition, as not exhibiting new Articles of Faith, but only confirming and illustrating those contained in Scripture, justification by Faith alone, the fallibility even of the Church of Rome, considered as a particular Church, were freely admitted. Indulgences were limited to relaxations of temporal penances *in this life*, the worship of the Cross, relics, and images, was reduced to an external respect, and that not of a religious nature; the invocation of saints seems to have been given up; the fitness of celebrating Divine Worship in the vulgar tongue was not disputed—the Communion in both kinds was held indifferent, and in the article of the supremacy of the civil magistrate, some not inconsiderable points were conceded. Even transubstantiation, though the doctrine without the name was affirmed, seems to have been retained only as a speculative point, without involving the duties of adoring the Host, or those other consequences which have made it so justly revolting to all considerate Protestants. 'In our Liturgy,' says Wake himself, in a letter to his English cor-

respondent, 'there is nothing but what they allow of, save the single rubric relating to the Eucharist; in theirs nothing but what they agree may be laid aside, and yet the public offices be never the worse for it, or more imperfect for want of it.' "

Still, notwithstanding these advances, the Archbishop was not very sanguine in his expectation of a reunion.

" Without the entire exclusion of the papal authority from the Church of France, he despaired of an effectual accommodation; with it he hoped for everything. This therefore was the point to which he directed his main efforts; but this, he plainly saw, could only be accomplished through the co-operation of the Court. Some prospect of such a co-operation was for a while presented. The Regent and his minister showed themselves favourable, but the artifices of Rome prevailed; and the attraction of a Cardinal's hat for the infamous Du Bois was sufficient to extinguish the dawn of reformation in France, almost as soon as it had arisen. It was after the Archbishop's hopes of the assistance of the Court had proved illusory, that he wrote to Du Pin the letter from which your Lordship's quotation was taken;—and I may now venture to ask, whether anything more fallacious can be devised, than to represent the language of Wake addressed, under such circumstances, to Du Pin, as intended to characterize the doctrine and discipline of the Church of Rome? "

The remarks upon transubstantiation which follow merit little notice, except in so far as the subject affords to Mr. Phillpotts an opportunity of vindicating the doctrine of the Real Presence. The same observation applies to his treatment of those portions of the Declaration which relate to the " invocation of saints," and " the idolatrous nature of the sacrifice of the mass."

Both of these topics might well have been omitted altogether, had not the remarks of Lord Grey seemed to Mr. Phillpotts to demand some notice. This was the more necessary since the object of his lordship had been, for political purposes, to represent the creed and the discipline of the Church of Rome as nearly in accordance with those of the Church of England. He had not calculated, however, upon meeting with an adversary, like Mr. Phillpotts, who would follow him through all the mazes of a shifting controversy with inexorable pertinacity. The accuracy with which he fathomed Lord Grey's theology is set forth by himself with quiet irony six years later, when he says of Dr. Milner's *End of Controversy*, that it "is the grand storehouse from which a main portion of the facts and evidence, adduced by the noble Earl, appears to have been drawn; and a nice observer might, perhaps, without much difficulty, select some six pages of this work, in which all the theological learning displayed in that memorable debate would be found to be comprised."

Having disposed of the question of the Test, Mr. Phillpotts proceeds to a part of Lord Grey's speech, which, as it appears to him to "affect the honour of the Church of which he is a minister," calls for special notice. His lordship appealed to the Episcopal Bench "whether the 18th Article of the Church of England, or that part of the Liturgy which it had been the well-known wish of our pious Sovereign to see withdrawn, are congenial to the pure spirit of



Christianity." It was understood that the part of the Liturgy referred to was the Athanasian Creed. However high or honoured the name that might be cited against it, Mr. Phillpotts rightly felt that there was but one course open to any minister who valued consistency above favour, and that was to profess his firm conviction that the Creed was not only true in its doctrine, but most highly serviceable in its use.

"The object of the Creed," he well says, "is to proclaim belief in those great and distinguishing doctrines of our religion, the Trinity of Persons in the Godhead, and the Incarnation of the Blessed Son; doctrines, which they who hold them cannot but esteem of essential importance, for on them depends the honour which is due to our Redeemer and our Sanctifier. It is true, that a simple profession of Faith sufficed for the infant Church; that before the Divinity of the second and third Persons (implied in the Apostles' Creed) was assailed by heretics, it was not deemed necessary to depart from the simple words of Scripture. But when the words of Scripture were used in a sense which depraved its meaning, and dishonoured the object of Christian worship, it became necessary to guard the true faith by an exposition, which the subtlety of the adversary could not pervert. The Creed in question effects this purpose; it both states plainly what Scripture teaches of each of the Divine Persons, and also introduces distinctions, which prevent the unwary from being misled by those, who, under the words of Scripture, maintain opinions inconsistent with its highest truths. But these distinctions need not be regarded by any who hold the main doctrine."

Every Churchman will be thankful for this manly exposition of the value of the Creed. Mr. Phillpotts then proceeds:—

“The condemning or cautionary clauses, (call them which you will,) apply to the Catholic Faith generally, and to the doctrines of the Trinity and Incarnation in particular: and he who taxes them as uncharitable, would do well to remember, that as they say not less, so neither do they say more, than our Lord Himself pronounced of every one ‘that believeth not.’ The only question which can be raised is about the truth of the doctrine; for they who admit it to be true, must see that it is fundamental, that the denial of it must come within that denunciation which He, Who is emphatically styled ‘Love,’ forbore not to make.”

More on this subject occurs further on. Meanwhile enough has been said to give promise of the ability and profound theological learning which Mr. Phillpotts brought to his contest with Mr. Charles Butler. This letter to Lord Grey is manly in tone, and, with the exception of some few expressions towards the end, temperate in diction. The writer is evidently not an entire exclusionist; but he is unwilling to remove the Roman Catholic Disabilities without receiving sufficient security for the maintenance of Church and State.

## CHAPTER IV.

*Meetings of distressed Manufacturers at Birmingham and Leeds. A Reform Meeting at Manchester charged by the Yeomanry Cavalry. A great number of People sabred and trodden under foot. Several Lives lost. Indiscreet Haste of the Magistrates. Their Conduct approved by Government. Letter of Thanks from the Prince Regent. Feeling of the Country. Subscription Lists for the Sufferers. Address of the Lord Mayor and Citizens to the Prince Regent. His Reply. Indignation Meetings held in the Provinces. The Durham Meeting. The Resolutions. A Declaration against the Meeting drawn up and signed. The Name of Mr. Phillpotts among the signatures. An Abstract of the Declaration. Mr. Phillpotts addresses a Letter to the Freeholders of the County of Durham. His Motive for doing so. Whether it was necessary for him to come forward. The real Object of his Pamphlet. The Proceedings of the Durham Meeting conducted with Propriety. Mr. Phillpotts' sarcastic Description of it. His Statement of the Proceedings of the Meeting. Attack upon Mr. Lambton. Its Injustice. Effect of the Letter to the Freeholders of the County of Durham. Anonymous Answers to it. Article in the Edinburgh Review. A cheap Edition of it. Mr. Phillpotts' Statement in reply. Its Character. Mr. Phillpotts dreaded as an adversary. His Description of "Liberals." His Estimate of the Reviewer.*



THE unhappy events which occurred at Manchester, in 1819, afforded to Mr. Phillpotts an opportunity, which he was by no means slow to embrace, of appearing before the public as the champion of Government.

During the summer large meetings of distressed

manufacturers were held at Birmingham, Leeds, and other centres of labour. Matters were carried so far that a "legislatorial attorney" was elected to represent the people of the former place. On the 9th of August a similar meeting was appointed to be held at Manchester; but, on the magistrates declaring that an assembly for such a purpose was illegal, it was abandoned, and another meeting was announced for the 16th of August, for the purpose of petitioning for a Reform in Parliamentary representation. The summons was not disregarded, and an immense multitude of people, computed by some at 80,000, assembled in a piece of ground called S. Peter's field. The chief orator was Mr. Hunt, who harangued the assembly from a hustings made of waggons, and surmounted by flags bearing the inscription, "No Corn Laws," "Annual Parliaments," "Universal Suffrage," "Vote by Ballot," and other devices dear to popular agitators. While he was speaking, and before any breach of the peace had occurred, the Yeomanry Cavalry, supported by the 15th Hussars, dashed into the crowd with sabres drawn. No resistance was offered. Mr. Hunt and others were made prisoners, and, had it not been for the prompt interference of Mr. Nadin, a chief constable, the yeomanry would have fulfilled their intention of cutting him to pieces. Another charge was then made at the flags, during which numbers of people, including a peace-officer, were sabred and trodden under foot. So little discrimination was shown by the excited soldiers that a gentleman who

42     *Indiscreet Haste of the Magistrates.*

was taking notes for the *Times* was arrested, and carried off to prison. No act of violence had been attempted on the part of the crowd, which was unarmed, until the charge of the yeomanry, and no one present knew that the Riot Act had been read.

Such is an outline of this terrible outrage, in which several defenceless men lost their lives, and others, including women and children, were seriously injured. There can be no doubt that the magistrates, in the fervour of their loyal zeal, exhibited far too great haste upon this unhappy occasion, and having once directed the yeomanry against the crowd, they were unable to restrain them. Nevertheless, their conduct was approved by Government, the approbation being, as an acute thinker \* remarked, "the supposed price of support from the Tories in that part of the country." Three days after the disaster, the Prince Regent wrote to the Home Secretary (Lord Sidmouth), from his yacht at sea, conveying his approbation and high commendation of the conduct of the magistrates and civil authorities at Manchester, as well as of the officers and troops, both regular and yeomanry cavalry, whose firmness and effectual support of the civil power preserved the peace of the town upon that most critical occasion.

The sensation created throughout the country by these events was most profound. It seemed incredible that an act of wanton butchery, such as could be justified

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\* Lord Dudley, Let. 43, to Bp. Coplestone.

only by the last extremity, should be endorsed by the highest powers in the land. Immense sympathy, therefore, was manifested for the sufferers, and in London and Liverpool it took the shape of liberal pecuniary contributions. The excitement reached its height when it became known that several bills for cutting and wounding, which had been presented to the Grand Jury at Lancaster, against various members of the yeomanry corps, had been thrown out, and that the magistrates had refused to commit for charges connected with the 16th of August which had been brought before them.

It was under such circumstances as these that a Common Council of the Lord Mayor, Aldermen, and citizens of London was held on September the 9th, at which a respectful address to the Prince Regent was agreed upon, praying him to institute an immediate and effectual inquiry into the outrages that had been committed, and to cause the guilty perpetrators thereof to be brought to signal and condign punishment. His Royal Highness returned a reply which severely censured the conduct of his petitioners, and peremptorily refused the inquiry which they sought.

But the demand for prompt and impartial investigation was not so easily to be set aside. The spirit of the country was fairly roused. People who acknowledged no sympathy with the opinions of the Radical Reformers of Manchester felt that an outrage had been committed upon the liberty of the subject. Many large cities and towns, therefore, following the ex-

ample of London, held meetings, and, with more or less excitement, adopted similar resolutions. Amongst other places, a very influential meeting of the gentry and freeholders of the County of Durham was held on the 21st of October, in the County Hall, Durham, in consequence of a numerously-signed requisition which had been presented to the High Sheriff, the Hon. W. Keppel Barrington. At eleven o'clock that gentleman, accompanied by Mr. Lambton and Mr. Powlett, members for the county, and others who had signed the requisition, entered the hall. The doors being thrown open, the general public were admitted, and the building was immediately filled with a crowd of well-dressed people, who had for some time previously collected around. After the usual preliminaries, and some apologies from the sheriff for his inexperience in public affairs, Dr. Fenwick proposed, and George Baker, Esq., seconded, the following Resolutions, which were carried without one dissentient voice:—

“1. That it is contrary to the principles of the Constitution, and a dangerous invasion of one of its most important privileges, forcibly to interrupt and disperse any meeting of the people, legally assembled, and peaceably held, for the consideration of any matter affecting the public welfare.

“2. That the dispersion of the Meeting held at Manchester on the 16th of August last, by a military force, whereby many of his Majesty's subjects were grievously wounded, and some actually killed, has filled us with anxiety and alarm, and that we have seen with astonishment and regret the approbation which his Royal Highness the Prince

Regent has, without any sufficient opportunity for inquiry, been advised to give to those persons concerned in the direction and execution of that measure.

“ 3. That, although nothing has appeared which justifies the conduct of the Magistrates and Yeomanry on that occasion, we are unwilling to pronounce a positive censure upon it, without hearing all that can be alleged in their defence ; but that we feel it to be our duty to demand a strict and solemn investigation of occurrences, which have proved so calamitous to so many of our fellow-subjects, and which tend to the establishment of a precedent of the utmost danger to the liberties of the country.

“ 4. That while we thus express our opinion, we disclaim any approbation of the political principles of those by whom the Meeting at Manchester was convened, and declare our unalterable attachment to the Constitution, and firm determination to support the authority of the laws against whoever may violate them.

“ 5. That an humble Address be therefore presented to his Royal Highness the Prince Regent, conformable to the tenor of the above Resolutions.”

Mr. Phillpotts had refused to take any part in this Meeting, having previously appended his name to a “ Declaration ” which had been drawn up and signed by some noblemen, magistrates, clergy, and others, at the suggestion of Lord Sidmouth, who had advised that “ some of the most respectable persons in the kingdom should meet and agree upon such a Declaration as the crisis calls for, and, after having publicly announced it, leave copies of it at different houses of resort for signature.”

The Declaration of “ the nobility, gentry, clergy, and freeholders of the County of Durham,” com-



mences with a statement, on the part of those who signed it, that they feel a proper and constitutional jealousy for the maintenance of their rights and privileges, and that they are determined that no effort shall be wanting on their part to transmit them unimpaired to posterity. Having made this unequivocal declaration, they go on to say that they sincerely deplore the unhappy occurrences which have lately taken place at Manchester, and they trust, that, in order to allay the popular ferment, as well as in justice to those who have so loudly been accused of being the authors of the troubles, the legal investigation of the whole of these transactions, which has already been instituted, may speedily be brought to a close. They next lay it down, as a fundamental law of the country, that no one is to be condemned unheard, and continue, "shall we then suffer the magistrates of the land, and its brave constitutional defenders, the yeomanry, not only to be vilified and abused, but even to have sentence pronounced against them in their absence, and without having an opportunity of defending themselves?" They then declare that they will suspend their judgment, and call upon their fellow-countrymen to do the same. Reference is next made to the agitated and almost convulsed state of the country, and the rapid strides which sedition and blasphemy are everywhere making. Firmly impressed with these ideas, the declarationists express their determination not to attend any county meeting, to discuss matters connected with the late transactions at Manchester, and enter their

protest against all such discussions, as not only unnecessary and premature, but as calculated to interfere with the impartial and dispassionate judgment of those by whom alone the question can be constitutionally decided, and to promote the objects of turbulent and factious men. They conclude by saying, "We solemnly, in the face of our country, declare, that we will collectively and individually defend, to the utmost of our power, the altars of our God, the throne of our king, and the glorious free constitution of the country."

This "Declaration" is dated October 19, 1819, two days before the county meeting, and bears sixty-seven signatures. Copies of it were subsequently sent for signature to other places in the county, including Bishop Auckland, Darlington, Stockton, Gateshead, Walsingham, South Shields, Sunderland, Barnard Castle, Staindrop, and Newcastle.

Mr. Phillpotts having thus vindicated his title to be considered one of "the most respectable persons in the kingdom," in the ministerial acceptation of those words, proceeded to address a letter to the freeholders of the County of Durham, which appeared October the 26th, five days after the meeting. His motive for coming forward is thus given by himself:—

"I am one of those who have affixed their signatures to the 'Declaration' which is now circulating through the county, and is, I hear, welcomed in every part of it with ardent approbation. Those who sign it are said to have been reproached by one of the representatives of the county,

Mr. Lambton, as afraid to come manfully forward and avow their sentiments in the face of those who differ from them. To that defiance, I for one, am not unwilling to answer. The Declaration itself has explained some of the reasons which kept me from giving my answer where it was demanded ; and I cannot hesitate to confess, that to harangue a meeting, in which an impartial hearing could not be hoped for (even if the subject had created no objections), would have ill accorded with my personal or professional feelings. A philosopher of old declined arguing a point with a Roman Emperor, 'I do not dispute,' said he, 'with a man who has forty legions.' In like manner, the hon. gentleman shall have his own way, as far as I am concerned, when he has a mob on his side. But I have not the same difficulty in meeting him in print ; we are then on terms of equality. The reading public will allow to each of us the due, and only the due, weight of his respective arguments ; and I cannot affect, what assuredly I do not feel, that there is anything, either in the authority or in the talents of that gentleman, to make an ordinary man backward to cope with him. In truth, backwardness at the present moment would argue, not so much diffidence in our abilities, as treachery to our cause."

Whether it is a fair use of terms to designate a meeting presided over by the high sheriff, supported by two county representatives, "a mob," it is scarcely worth while to inquire ; but whether it was at all necessary for Mr. Phillpotts to appeal to the public on such a matter as this, is a question which will be answered according as people think on the subject of political pamphlets being made a stepping-stone to ecclesiastical preferment. If he believed that it was a point of honour to take up the gauntlet thrown down, as he imagined, by those who desired inquiry, he had

been anticipated in his chivalrous design, for already there was another clerical champion in the field, in his own diocese, the Rev. John Davison, Rector of Washington, whose popularity and talents secured for his pamphlet an extensive circulation.

But, in truth, while Mr. Phillpotts was endeavouring to delude himself into the belief that it was needful to defend *himself* and his co-declarationists, he very soon found himself writing a letter the manifest object of which was to defend the *Government*. Accordingly, as his pamphlet proceeds, his natural acuteness is too great to allow him to be blinded by the plea of self-vindication.

“It is an unpopular course,” he says, “at any time to step forward as the advocate of Ministers, on a disputed point. He who undertakes that office is commonly supposed to have other motives than a love of justice.”

These two sentences, paving the way for a defence of the Ministers which immediately follows, furnish the key to the whole of the pamphlet. The ministers are in ill-odour; Parliament is not likely to meet for the present; popular frenzy is at its highest. Anything that may be said to stifle inquiry will not be taken amiss when better days come round. But while this is the obvious aim of the letter, it is only justice to Mr. Phillpotts to give full effect to that part of it which relates especially to the county meeting at Durham. Whether such a meeting ought to have been held it is immaterial to inquire. That its deliberations were

conducted with propriety is allowed by Mr. Phillpotts himself, when he says,—

“I readily admit, that if any steps were to be taken, it could not be expected that a more moderate course would be pursued than is presented in the Resolutions of the meeting.”

It is true that this is qualified, a little further on, by a description of the conduct of those who attended the meeting, which is, perhaps, more humorous than just:—

“It amounts, at least, to finding a bill of indictment against the magistrates, or the military, against some of whom, be it remembered, bills were in fact laid before the grand jury of Lancashire, and by them thrown out. The grand jury at Lancaster were sworn that they would ‘diligently inquire and true presentment make,’ and they had witnesses before them, who were sworn to speak the truth. Under these circumstances, they found it their conscientious duty to reject the bills. The gentlemen in our court at Durham have the advantage of not being fettered in their inquests by the restraint of an oath, and they have the greater advantage of being able to give as much credit as they please to all the unauthorized statements which have issued from the press, under a state of public feeling inflamed and agitated beyond example. Under these circumstances they feel it their painful duty to contradict the jurors of Lancashire, and to pronounce on the bills accordingly.”

In discussing the proceedings of the meeting, Mr. Phillpotts states the case thus:—

“The measure to be defended is this—the pronouncing that there is a *prima facie* case against the magistrates and military employed at Manchester, and that it is necessary for county meetings to found on this case the demand of an in-

vestigation. Here are two points to be made good in order to justify the proceedings of Thursday; 1st, that there is such a *primâ facie* case as is asserted; 2nd, that it is right to declare that there is, and, in consequence, to demand an investigation.

“Now into the first question it is not my intention to enter, further than to remind the gentlemen who have moved the measure, to what point our knowledge of the state of the case, from admitted facts of an authoritative character, really extends. It is this; that several persons at the head of the meeting at Manchester were apprehended, and detained for high treason, of which that meeting was the alleged overt act; that after their detention for several days, the charge of high treason was given up, and the parties were held to bail for a conspiracy to overturn the Government, and alter the laws of the land by force; that bills of indictment were preferred against certain persons concerned in dispersing the meeting by force; the consequence of which force was the loss of several lives—and that these bills were thrown out. This, I say, is the amount of all that is known from admitted facts of an authoritative character; and if it were necessary to come to any conclusion on the subject, (which I apprehend that it is not,) I should contend that the fair presumption, as far as it goes, is against the legality and the peaceableness of the meeting in question; for there can be no doubt, that if the meeting was legally held, and peaceably conducted, all who were engaged in dispersing it by force would be guilty of murder, if the consequence of that force was the loss of lives.

“But it is alleged in one of the Resolutions that ‘nothing has appeared which justifies the conduct of the magistrates and the yeomanry;’ and it is an observation which we hear continually from well meaning persons that it is strange that no attempts should be made by them to disprove charges which are refounded from one end of the kingdom to the other. Has it never occurred to any of these good people

that a prosecution is now in progress which must show whether there be a justification or not? \* Will they take the trouble of reflecting whether it may not be prudent for these parties, in respect to themselves, to reserve the publication of their case till it shall be made known by the proceedings in the Court of Law? And even if it be not thus prudent in respect of themselves, at least that it may be of high importance to the due course of justice in respect to others? Are they to be driven by clamour to make public the evidence which is to pass on the trial of the alleged conspirators, and so to defeat all reasonable probability of their conviction? The monstrous and palpable injustice of such a demand would make it incredible that so large a portion of the public should show it any favour, if experience had not repeatedly proved that no absurdity is too gross for the minds of the people, when duly heated to admit it. The very forbearance from all publication may be, and apparently is, the bounden, but certainly not the pleasing duty of these victims of popular delusion; and the rigid manner in which it is discharged by them may probably be found hereafter to merit the gratitude of every true friend of his country."

Having thus disposed of the first of his positions, Mr. Phillpotts proceeds :—

"The next consideration is, whether, supposing such a case to exist, it is proper to declare that it exists; and this involves one of the most serious questions that can be put

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\* Hunt and his associates were tried at York at the Spring Assizes in 1820. The trial lasted ten days, and ended in the conviction of nine of their number for holding an unlawful meeting and exciting discontent. On the 15th of May following, Hunt was sentenced to two years and six months' imprisonment, and the rest to one year's imprisonment.

before Englishmen. It is in fact no less than this : whether it is right for popular meetings to announce in this case their judgment on the apparent merits of a question which is in the course of judicial investigation. On this subject so much has been better said by others, and, in truth, so much must occur to every plain understanding, that I shall have no occasion to dwell long upon it. Gentlemen, I will not go the whole length of asserting that it never can be right thus to anticipate the regular course of law ; for on political subjects nothing universal can be rationally affirmed ; the best and most certain principle must admit of modifications and exceptions ; and prudence alone can decide (an enlightened and genuine prudence) when the occasion for these exceptions and modifications has actually arisen. But thus much I think will readily be granted to me, that nothing short of a great and unequivocal good to be obtained, or a fore and very pressing grievance to be removed can justify any moderately prudent (I might say any moderately imprudent) persons in wishing to interfere with the process of law. A manifest and most serious evil is sure to be incurred ; the benefit sought, therefore, ought to be not only very great, but very certain. The proof of this rests altogether upon those who propose the experiment. I have attended to all the arguments reported to have been advanced at our county meeting, and must frankly confess that I have risen from the inquiry more confirmed than before of the extreme unfitness of the proceedings of that meeting."

Then follows an examination of the arguments used at the meeting, which offers little interest at the present time. If the letter had ended here, it would have been well. Though it might have added little to the reputation of Mr. Phillpotts as an accurate and profound thinker, and must assuredly have created suspicions of his motives, yet it would not have



marked him out as a man eager to give battle to a political adversary with weapons of a more questionable kind than mere playful satire. Mr. Lambton (afterwards Earl of Durham) had attended the meeting, and after the Resolutions had been proposed and seconded, it was natural enough, as one of the representatives of the county, that he should say a few words. However much people may differ from the political sentiments of this gentleman, there certainly is nothing in his speech to justify the language applied to it by Mr. Phillpotts:—"Nothing short of running the full career of rashness and peril could glut his morbid avidity of distinction." And then he goes on to say, that, if a verdict of a jury shall pronounce Hunt and his comrades guilty of the charge laid against them, "slander of the most mischievous and gigantic kind will have been uttered by him, without rational motive, or intelligible excuse. I envy him not his feelings on such a consummation; still less do I envy him, if he shall then have no feelings at all." He then charges Mr. Lambton with "playing with the torch of sedition, and wantonly tossing it about amidst the combustible matter which surrounds him," and concludes by saying,—

"These are not times when the distempered spirit of the multitude should be still further inflamed by men who ought to exert the influence belonging to their station in allaying heats and pacifying discontents."

All this may be very forcible, but it is scarcely the way in which a clergyman should address a gentleman of high descent and unblemished life, whose only

offence upon this occasion seems to have been that he had the misfortune of differing from Mr. Phillpotts on an important question which was just then occupying the thoughts of the entire country. Such a display of party feeling could only have the effect of defeating its own end. And so it turned out; for, instead of helping the cause which it was written to serve, this letter created a prejudice against the subsequent writings of Mr. Phillpotts, which has outlived the memory of this particular event.

It is true that he explained much of this asperity in his answer to the article in the *Edinburgh Review*, which next comes under consideration; but the misfortune was that many people read his letter who never saw the explanation. Thus, then, friends were alarmed, enemies were incensed, and those who were neither friends nor enemies felt that a great mistake had been made, and that a spirit of rancour had been excited by this pamphlet which it might take a lifetime of conciliation to allay.

Many anonymous answers quickly issued from the press. Amongst these is to be reckoned an article in the *Edinburgh Review* (No. 64), entitled, "Necessity of Parliamentary Enquiry," which, while professing to be a review of the pamphlet of Mr. Phillpotts, was in reality directed against himself. The author of it was commonly supposed to be one of the most distinguished of the early contributors to that journal, who, adding the rank of a senator to the reputation of an orator, was an adversary that few

men would dare to despise. This article was widely read, and a cheap edition of it (price twopence) was rapidly distributed throughout the county of Durham.

These circumstances induced Mr. Phillpotts to publish a statement in reply to it,\* which appeared in January, 1820. And this, it must be confessed, is a most triumphant exposure both of the shallowness of the reviewer's arguments and the feelings which had guided him in writing. It was necessary promptly to crush so powerful an antagonist as Mr. Phillpotts had shown himself to be, and therefore the veteran reviewer, armed with malice and misrepresentation, to which the power of his cultivated mind lent a double force, stepped forth from the ranks to give him battle. But if Mr. Phillpotts was to blame for the tone of his pamphlet, the reviewer soon showed that he was incapable of teaching him better manners. That his labours should have met with such a recognition was in reality an indication of the value attached to them by his opponents. A distinguished public character would not for nothing have remitted his exertions in a higher sphere to resume those of a review, while the publication of his article in a cheaper form showed the anxiety of his party to make the most of his services.

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\* "Remarks on an Article in the *Edinburgh Review* (No. 64) entitled, 'Necessity of Parliamentary Enquiry,' by the Rev. H. Phillpotts, M.A., Author of a Letter to the Freeholders of Durham, which that Article professes to review."

It is needless to go through this pamphlet in detail, since it is merely an exposure of the reviewer's blunders, sophistry, and malignity. One extract, however, may be commended to the attention of "liberals" of every shade:—

"To say the truth, this is not the first time that I have had occasion to admire the exquisite felicity with which the lovers of free discussion and manly inquiry can adjust their graduated scale of crimes and punishments. All who profess the same 'liberal sentiments' as themselves, are at once invested with an undefined and undefinable privilege. These 'chartered libertines' may say what they please, abuse whom they please and how they please—they may run to the extreme verge of legal endurance, and even occasionally overstep into the confines of slander or sedition. At the worst it is only a generous indiscretion—while the first person who asks them, why do ye so? has the whole fraternity let loose upon him, unless he cuts and squares his diction to the nice pattern which suits their self-complacency."

The whole of this reply is well written, and if the reviewer is somewhat severely handled, he richly deserves it. Mr. Phillpotts does not affect to despise his adversary; but, while paying a becoming tribute to his talents, he fails not to deplore the manifestation of "the coarsest admixture of prejudice and passion, perverted by party spirit, and abused to the worst purposes of wanton sophistication, or wilful injustice."

## CHAPTER V.

*Further Preferment of Mr. Phillpotts. His Competence, and proper use of it. The Living of Stanhope. Held by Three Prelates in succession. Mr. Phillpotts resigns his Stall in Durham Cathedral. A Description of Stanhope. Mr. Phillpotts builds a Rectory-house. Reminiscences of his Incumbency. Diligence in Parochial Duties. An active Magistrate. His Legal Abilities.*



IN the year following the publication of Mr. Phillpotts' letter to the freeholders of the county of Durham (1820), he received a splendid mark of his bishop's regard in the shape of a large living. He was already well provided for, but his new benefice eclipsed all his other preferment. In worldly circumstances, then, he was fortunate enough, and at no time of his life could he ever have known what it was to be a needy man. A rare piece of good fortune for one of his profession, when it is remembered that he inherited no patrimonial estates, and was not the representative of an historical name. Many of our great men

“Have been by *need* to full perfection brought;”

but if Mr. Phillpotts never passed through this bitter ordeal, he at least showed himself capable of braving

the more seductive accompaniments of affluence. A canonry was no Capua to him ; and if honours and preferment were showered upon him, they were not used for mean and selfish ends.

On the 20th of September, 1820, he was collated to the Rectory of Stanhope—one of the most valuable, if not *the* most valuable living in England. This princely benefice had been held by three prelates in succession, who were the immediate predecessors of Mr. Phillpotts—Dr. Butler, Bishop of Bristol, Dr. Keene, Bishop of Chester, and Dr. Thurlow, Bishop of Lincoln. If precedent, therefore, went for anything, it was not hard to predict what his ultimate fate might be. On being presented to this living he resigned his stall in Durham Cathedral.

Stanhope, the scene of Mr. Phillpotts' future pastoral labours, is a town of no great pretensions on the north bank of the Wear, and is chiefly inhabited by miners. It was raised to the dignity of a market town in 1421. The church is a plain and ancient fabric, standing on rising ground to the north of the town. At no great distance stands an ancient manor-house, the seat of the old historical family of Featherstonhaugh, the last of whom was killed at the battle of Hochstadt. In the woods of Stanhope Park the prince-bishops of Durham used to hold their great forest hunts, the tenants being obliged to furnish necessities for them and their suite, besides maintaining their dogs and huntsmen.

The population of Stanhope, and other circum-

stances of interest connected with the parish, will come under consideration further on.

One of Mr. Phillpotts' earliest acts after becoming rector was to commence the erection of a parsonage-house, as well as a residence for the curate. It should be recorded to his credit that he undertook this entirely at his own private expense, without burdening the living with any charge. The sum expended was about 12,000*l.* The house is very large, and occupied a considerable time in building. During this period Mr. Phillpotts resided in Durham.

His incumbency is well remembered, and he appears in the main to have conciliated the regard of the parishioners. Shortly after his elevation to the Episcopal bench an old woman remarked to his successor that he had sent two of her sons to heaven—a strong expression, not to be repeated to scorners, but intimating, as it was understood, that he had diligently and faithfully attended them till their death, and had been the instrument in God's hands of saving their souls. This anecdote is enough to show that neither his cathedral duties at Chester, nor the theological and political studies in which he was now so deeply immersed, diverted him from the paramount obligation of pastoral vigilance. The petition of the inhabitants of Stanhope against his holding that living *in commendam* with the See of Exeter will be examined in its proper place.

At this time Mr. Phillpotts was gratifying a taste for legal matters, which had early displayed itself, by discharging with great regularity the duties of a county

magistrate. His aptitude for this kind of business was very remarkable. He became possessed by intuition of that which to others was matter of laborious study; and the magistrate's clerk used to aver that Mr. Phillpotts could always tell what would be in an Act of Parliament before it came out.



## CHAPTER VI.

*Return of Queen Caroline to England, and the Proceedings consequent upon it. Gave occasion to a Pamphlet by Mr. Phillpotts. Injudicious Conduct of the Ministry. Popular Feeling excited against them. Meetings held in various parts of the Country. All Ranks took part in them. The Durham Meeting. The Speakers. The Address. Reference in it to Spirit of Discontent existing in the Country. Impropriety of this. A Counter-Address agreed upon by the Clergy. Their Justification for taking this step. Mr. Phillpotts the Proposer of it. Hostile Feeling manifested against the Clergy. Not confined to the Lower Orders. The Northumberland Meeting at Morpeth. Lord Grey's Speech. His Remarks upon the Clergy of Durham. Letter from Mr. Phillpotts to his Lordship. The Peril of coming forward. The Clergy defended against the Imputation of Underhand Conduct. The Treatment of Mr. Liddell at the Meeting. Remarks on the Press. Improper Use of the expression, "The People," exposed. Disingenuous Arts of "Liberal" Statesmen. Description of Lord Grey's Conduct by Mr. Phillpotts. His Behaviour in Parliament, in reference to the Queen's Guilt, compared with his Statements at the Durham Meeting. What his Conduct ought to have been had he believed in the Queen's perfect Innocence. An Injudicious Statement in his Speech. Severe Remarks upon it by Mr. Phillpotts. An unhappy Quotation of Holy Scripture by his Lordship. Impression created by the Letter of Mr. Phillpotts. General Tone of it. Not to be judged by the Standard of the Present Day. Consultation of *Whig* Lawyers to ascertain if it was Libellous. Attack upon the Clergy by the *Durham Chronicle*. Action for Libel against the Publisher. Mr. Brougham's Defence. Its Character. Conviction of the Defendant.*



**M**R. PHILLPOTTS had scarcely entered upon the enjoyment of his new benefice, when the unexpected return of Queen Caroline to England raised a storm of excitement throughout the country, which soon involved

even the most distant towns and villages in its relentless course. It is, happily, no part of this history to chronicle the misfortunes or crimes of this ill-fated princess, or to dwell upon persecutions which terminated not even with death, but pursued her lifeless body to the very confines of the land. It is necessary, however, to allude to these distressing events, since they gave occasion to a pamphlet by Mr. Phillpotts, which created great sensation at the time, and which merits something more than a passing notice.

The great personal unpopularity of the King, and the unjustifiable system of espionage which had been so successfully practised upon the Queen, combined to excite a sympathy in her favour, and to cause people, if not actually to forget, at least to extenuate her faults. The attempt of the Ministry, therefore, to proceed against her Majesty by a Bill of Pains and Penalties, which, if carried to its legitimate end, must have cost her her life, was about as unpopular and inconsiderate a step as could possibly have been taken. In any event it must terminate in failure. If the bill should pass into law, the penalty was death, and no Government would have dared to carry it out, in the face of the popular excitement which prevailed. If it was abandoned—as it ultimately was—the Queen's triumph was complete. The effect of this was that an almost universal feeling of indignation was excited against the conduct of the Ministers. Thus, then, while the Queen was the idol of the Londoners, and was followed about everywhere by a shouting and

#### 64 *Meetings held throughout the Kingdom.*

triumphant mob, large and influential meetings were held in all parts of the country, and Resolutions were passed condemnatory of the policy of the Government. Nor were these meetings by any means confined to the lower orders, and those agitators who find an opportunity for making political capital out of the troubles of the times. Men of all ranks united in reprobating the policy of a Government which could seek to condemn a Royal lady to degradation without a parallel, on evidence which would not have been received against the most abandoned criminal in the land.

The gentry of the county of Durham were not backward in declaring their sentiments at this most critical and painful time. On Wednesday, December the 12th, 1820, a meeting of the freeholders of the county was held in the County Court, Durham, to take into consideration the measures that had been pursued for the degradation of the Queen, and the propriety of presenting petitions to both Houses of Parliament, praying that they would take such steps as might effectually prevent the recurrence of proceedings alike unconstitutional in their nature, and disgusting and pernicious in their tendency. The High Sheriff of the county, the Hon. W. K. Barrington, took the chair; and the numerous attendance of the principal inhabitants of the county, as well as the rank and character of those who took a prominent part in the proceedings of the day, stamped the meeting as, probably, one of the most important ever held in Durham. John George Lambton, Esq., M.P., pro-

posed, and Samuel Moulton Barnett, Esq., seconded, certain Resolutions, which were embodied in an Address and presented to the King. The other speakers were Mr. Liddell (who expressed his disapprobation at the proceedings of the meeting), Earl Grey, Dr. Fenwick, Mr. Shafto, and Mr. Powlett, M.P.

Among the topics embraced in these Resolutions there was one which was mischievous and dangerous, and was evidently inserted for party purposes:—"We humbly venture to state to your Majesty," the petitioners say, "that a general spirit of discontent has arisen, which, if not corrected by timely remedies, must produce the most disastrous consequences to the power and tranquillity of this great empire." Now, however true this may have been in fact, it had nothing to do with the requisition, in pursuance of which the meeting had been called. Its insertion, then, was most significant, and could only be regarded as an intelligible hint to the King to change his advisers. The unfairness of such a proceeding is manifest. It was, in point of fact, to use the Queen's misfortunes for the purpose of ejecting the Ministry. Under these circumstances some of the clergy of Durham assembled at the Archdeacon's, and determined upon laying before the King a Counter-Address, declaring their own sentiments, and pointing out what they conceived to be the real dangers of the times. That they were justified in taking this step will be seen when it is remembered that the Resolutions and Address of the Durham meeting went forth to the world under the

66      *Hostile Feeling against the Clergy.*

name of the nobility, gentry, *clergy*, and freeholders of the county. As long as the business of the meeting was conducted in conformity with the terms of the requisition, they would have had nothing to complain of; and, even if they had not attended, they would have been bound by the Resolutions which were agreed upon: but when topics were introduced of which no notice had been given, and of which they strongly disapproved, no one can blame them for coming forward and stating the grounds of their disapproval. Mr. Phillpotts took an active share in the preparation of the Address of the Clergy, and it fell to his lot to propose it to the meeting.

As soon as it became known that the Address had been presented, a strong feeling of hostility was manifested against the clergy. They were charged with taking the part of Government against the Queen, for mercenary motives, and were assailed, both in public and private, with epithets of hatred and scorn. Upon no one did the storm fall heavier than on Mr. Phillpotts. His constitutional energy, and the great and varied talents which he was able to bring to bear on every question which he took in hand, singled him out as a favourite object of attack.

Nor were the rancorous feelings against the clergy by any means confined to the lower orders. An earl came forward to denounce them under the following circumstances. At the close of December, 1820, a requisition was presented to the High Sheriff of Northumberland, Wm. Clark, Esq., desiring that a

county meeting might be convened to take into consideration the steps proposed for the degradation of the Queen. Among the signatures appear the names of Lords Tankerville, Grey, and Offulston, together with some of the leading gentry of the county. The high sheriff courteously but firmly refused to call the meeting. In consequence of this refusal a circular was sent round (Dec. 26), calling upon the independent freeholders and inhabitants of the county to attend a meeting to be held in the Town Hall at Morpeth on Wednesday, January the 10th, at twelve o'clock, to consider the steps necessary to be taken in consequence of the extraordinary conduct of the sheriff, and for other purposes specified in the requisition. This was signed—

GREY,  
JOHN E. SWINBURNE,  
CHARLES MONCK,  
T. W. BEAUMONT,  
C. W. BIGGE,  
JOHN GEORGE LAMBTON,  
GEORGE BAKER.

Notwithstanding the exceeding inclemency of the weather the meeting was most numerous and respectably attended. It was feared that Lord Grey would not be able to be present, as he had lately been suffering from a severe attack of illness. At twelve o'clock the gates of the Hall were opened, and the pressure to obtain admission was excessive. Even the noble earl and the requisitionists had very great difficulty in procuring their usual seats upon the bench. The Hall

was densely filled, and the heat very soon became oppressive.

Sir John Swinburne having been called to the chair, the proceedings commenced. An Address to the King and some Resolutions were agreed to, with only one or two dissentient voices, the most remarkable being that of Mr. Orde, who came forward and boldly stated (though with much interruption) the reasons why he could not concur in the proceedings of the meeting. Upon this occasion Lord Grey was the chief speaker, and his speech was long remembered as one of the most animated which he ever delivered. After touching upon the business of the day, he proceeded to enlarge, with great warmth and energy, upon the conduct of the clergy of Durham in presenting their Address to the King. This produced (Jan. 19) a letter from Mr. Phillpotts to the noble Lord, "on certain charges advanced by his Lordship, at the late county meeting in Northumberland, against the clergy of the County of Durham." He conceived that the speech of Lord Grey was a challenge to the clergy, who had joined in the Address to the King, to avow before the world the principles which dictated it, and the grounds on which it was to be justified. Mr. Phillpotts appears not to have been insensible to the perilous nature of the enterprise in which he was engaging:—

"I am not ignorant," he says, "that I may possibly draw upon myself all the fury of all your adherents, from the political reviewer, who scarcely any longer pretends to regard truth and justice as qualifications for his calling, down to

the miserable mercenary, who eats the bread of prostitution, and panders to the low appetites of those who cannot, or who dare not, cater for their own malignity."

He then proceeds to examine that portion of Lord Grey's speech which related especially to the clergy. His lordship had imputed to them underhand conduct, and said that, instead of flying into holes and corners and secret conclaves, they ought to meet those from whom they differ face to face. Mr. Phillpotts well remarks upon this:—

"I will not insult your Lordship by supposing that you made this demand for any other purpose than to catch the momentary plaudits of your audience. I only admire the perfect gravity with which you make it, and talk of free discussion at Durham county meetings as if you were really in earnest. And yet, my Lord, well as you act the part, it is one which by no means becomes you. This petty artifice of daring an adversary to combat, where you know he cannot meet you on equal terms, ought to be reserved for those whose ambition can look no higher than to a successful display on the hustings. You, my Lord, were formed by nature and by discipline for far better things."

It is worthy of remark, that Mr. Liddell, a gentleman of high family and character, actually did come forward and address the Durham meeting, with a view of showing the impropriety of its proceedings; but he was with the utmost difficulty enabled to proceed amidst a volley of hisses, and cries of "shame," and "turn him out." Whether this state of things would have been mended if a clergyman had happened to be the speaker it is easy enough to guess.



Amongst other statements calculated to excite popular feeling against the clergy, Lord Grey represented them as attributing all the existing discontent to the licentiousness of the press, and as being advocates for encroachments on the liberties of the country. To this Mr. Phillpotts replies :—

“My Lord, we have said no more against the licentiousness of the press than Mr. Brougham, and others of your Lordship’s political friends have often said, and unhappily have often proved in their place in Parliament. Instead of attributing all to the licentiousness of the press, we expressly attributed ‘much to the rashness of headstrong declaimers, heedless or ignorant of the tendency of their own folly’—much to ‘the apathy of wiser and better men’—much to ‘every evil principle’, which can shoot forth in rank luxuriance under the general supineness of the good, and the restless activity of the wicked. In short, the licentiousness of the press is only one (a most powerful and most appalling one indeed, but still only one) of several causes to which we ascribed, what we see as plainly, and perhaps deplore as sincerely, as your Lordship does,—a too prevailing spirit of discontent ; we might add, an impatience of all lawful control, a thirst for untried, undefined, and undefinable change.”

Mr. Phillpotts next defends the Address of the Clergy against the assertion of Lord Grey, that it contains most unjust and unfounded charges against “the people,” a somewhat ill-defined form of expression which finds great favour with “liberal” statesmen on the hustings, and at every crisis of their fate :—

“May I entreat your Lordship to produce the passages on which you found these assertions? Is it the following, ‘Widely as the contagious frenzy has spread, we cannot doubt the soundness of the main body of this great nation.’

Who, my Lord, in your Lordship's contemplation, are the people? Not, it seems, 'the main body of the nation'—but some portions of it—those particular portions which the Durham clergy have made the subject of their accusation—in other words, evil-minded men, who revile and misrepresent all the measures of Government, and those who are seduced by them to cast off their allegiance—the deluders and the deluded—the vain disseminators of mischievous fooleries at public meetings, and those whom such weak sophistry can mislead—the teachers and the disciples in the schools of blasphemy and sedition—the abettors and the accomplices in secret conspiracies and open rebellion—the Carliles and Woolers, the Thistlewoods and Brandreths—these are 'the people'—these are they of whom your Lordship proclaims yourself the indignant advocate, these are they from whose injured innocence you 'repel the calumnies of us addressers against your countrymen.' ”

But the part of the Address of the Clergy which gave the greatest offence to Lord Grey, and which he seemed to understand as applying solely to himself, was that which stated, “We have seen, with feelings which we forbear to express, men of exalted rank and distinguished talents, fostering and stimulating the discontents of the multitude, availing themselves of delusions which they despise, and of vices which they reprobate, to forward the miserable objects of party ambition.” With the utmost candour Mr. Phillpotts avows, that, when he subscribed the address, he *did* consider his lordship to be one of those to whom the words were justly applicable; and after this manly declaration, he proceeds to justify the opinion which he had formed. This was founded chiefly on the difference observable

in Lord Grey's conduct and statements in relation to the Queen's guilt, when speaking in Parliament, and before the Durham county meeting. The majority who attended that meeting were fully persuaded of the Queen's perfect innocence, and had assembled with the intention of vindicating it.

"Now that you, my Lord," says Mr. Phillpotts, "participated in that conviction, I venture to think impossible. I do so, not from the apparent force of the evidence adduced, (respecting which it is no part of my purpose to say anything,) but from your Lordship's speech in the House of Lords on the motion for the second reading of the Bill of Degradation. I there see that in express terms you admit and lament that 'impropriety of conduct,' that 'matters of great suspicion' had been established; but 'they did not amount to the fair conclusion of guilt, which alone could justify the verdict of guilty;' that in the outset your prejudices and feelings were unfavourable to the Queen; that you did think it possible that a case would be made out, which would compel you to vote for the bill; but as it then stood, the only vote you could reconcile to your honour and judgment was, with a profound sense of duty, to lay your hand upon your heart and say, not guilty."

Mr. Phillpotts then goes on to show what Lord Grey's conduct would have been if he had really believed that the Queen was innocent:—

"And while I form my conclusion from what you did say, I find it most materially strengthened by what you did not say. You did not say, my Lord, that you thought her innocent. And yet, if you had indeed thought so, your feelings as a man must have impelled you to give to her the full benefit of your favourable opinion. You could not, while you heard an opposite judgment strongly expressed by

many even of those who voted against the bill, as well as by the majority who supported it—you could not have forbore to declare yourself, in the broadest and plainest terms, in favour of an unfortunate lady—that lady a Queen—that Queen one whom, fourteen years before, when Minister of the Crown, you had felt it consistent with your duty to treat as, I am quite sure, your Lordship heartily wishes she never had been treated.”

Having thus guarded his vote in the House of Lords in such a way as effectually to exclude him from the number of those who believed in the Queen's innocence, Lord Grey came before the meeting at Durham, and listened without remark to speakers who affirmed that she was guiltless, joined in resolutions which were founded on this supposition, and asserted that “the witnesses against the Queen had been proved to be totally unworthy of credit,” and that “the evidence of the only witnesses brought forward in support of the charge had been most completely overthrown by the testimony of unimpeachable witnesses on the part of her Majesty.”

Mr. Phillpotts thus sums up the case against his lordship :—

“My Lord, when I put these things together, and at the same time bear in mind the irrelevant matter so unwarrantably introduced into your proceedings—the vehement condemnation of all the policy of his Majesty's Government, both at home and abroad, and, lastly, the threat of a speedy revolution if that policy is not changed—I have no difficulty in stating my reasons for considering your Lordship as one of those to whom the words of which you complain are justly applicable. In saying this, I add, with perfect sincerity, that

74 *Injudicious Statement by Lord Grey.*

I believe you to have deceived yourself—to have been influenced by views and actuated by motives which you would be the first to renounce, if you thought them inconsistent with the welfare of your country.”

A very injudicious sentence in Lord Grey’s speech, which was evidently intended as a sop to the extreme Reformers of the day, gives Mr. Phillpotts an opportunity, which he was not likely to miss, of descending upon him with terrible force :—

“ You say that, ‘ if the administration of affairs were offered to you to-morrow, you would not accept it, without being enabled to effect a complete change in the present system of government.’ This, my Lord, is speaking plainly. In truth, an ardent and impetuous politician, like your Lordship, who has been for nearly forty years engaged in vehement opposition, can hardly fail to have disqualified himself for office. In the course of his long and unsparing hostility to almost every measure of Ministers, it is scarcely to be hoped that he should not have committed himself by pledges which he cannot, when in power, abandon without dishonour, nor redeem without ruin to his country. Your Lordship has once been tried, for a very short period, as a Minister ;\* and, whether justly or otherwise, many of your old supporters charged you then with incurring the former part of this alternative : if the trial be repeated, we may all have occasion to deplore that you now prefer the latter.”

But Lord Grey, having “ exhausted,” as Mr. Phillpotts says, “ the copious stores of his own eloquence

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\* On the accession to office of the Fox and Grenville Ministry, in 1806, Lord Grey was appointed First Lord of the Admiralty, with a seat in the Cabinet. On the death of Fox he succeeded to the vacant post of Secretary for Foreign Affairs ; but the Ministry was shortly afterwards dissolved.

in railing at the clergy," has recourse to a quotation from holy Scripture to justify his arguments, and give point to his sarcasm. He describes the clergy who signed the Address in the words of David—"Their communing is not for peace, but they imagine deceitful words against those that are quiet in the land." After a well-deserved rebuke for this trifling with sacred words, Mr. Phillpotts exclaims:—

"Quiet in the land! Why, your Lordship and your friends are now the prime agitators in these northern parts. Be the spirit of modern Whiggism what it may—a spirit of health, or one of a very different description—be its intents wicked or charitable—if it is in any degree an honest spirit, it will at least not ask us to call it a quiet one. A revolution must have already begun, and have begun in the understanding and reason of Englishmen, before we can bring ourselves to acknowledge the peaceful politics of Mr. Lambton, or the dove-like demeanour of Earl Grey."

It has been said already that this letter created a profound impression, and it deserved to do so. Mr. Phillpotts had matched himself against one of the acutest intellects in the land, the impetuous eloquence of whose oratory had earned for him the title of the Hotspur of his party, and had succeeded in showing that he could command powers of logic and satire which it would not be well for an adversary, however gifted, lightly to provoke. His pamphlet was strictly defensive, and, although written under no ordinary provocation, was not remarkable for any needless asperity either of sentiment or of language. But still it is a question whether it would not have been wiser, as

the clergy more coarsely than Lord Grey had done, yet the object of both was the same—to bring them into contempt. Thus, then, the verdict of a jury completed what the letter of Mr. Phillpotts had begun.

## CHAPTER VII.

*Further Attacks upon the Clergy of Durham. Peculiarly obnoxious to the Enemies of the Church. Article in the Edinburgh Review. Dr. Phillpotts singled out by Name. Description of the Article. Reasons for a Reply. Letter by Dr. Phillpotts to Francis Jeffrey, Esq., the reputed Editor. His Defence of the Doctrine of the Real Presence. Exposure of the historical Inaccuracy of the Reviewer. Improper use by him of the Case of Williams. Reference to Williams in a former Letter to Lord Grey denied by Dr. Phillpotts. Extreme Forbearance which he had shown towards him. Refutation of the Charge of not having caused the Bells to be tolled at the Queen's Death. The disingenuous Way in which the Reviewer performed his Task. The Defendant's Libel compared with the Description given of it by the Reviewer. Remarks on the Way in which the Edinburgh Review was conducted. Mr. Jeffrey's Reply. Nothing said which affects the Merits of the Case. A stinging Reproof by Dr. Phillpotts. Offer of an Irish Bishopric by Lord Liverpool declined. His Promise to the Bishop of Durham.*

**B**UT the troubles of the Durham clergy were not destined so easily to cease. The issue of the trial of Williams only stimulated their enemies to further acts of aggression. Dr. Phillpotts describes himself and his brethren\* as “a body which seems to have earned in a peculiar degree the hostility of every enemy to our Establishment.” And this was true enough. They were decidedly unpopular. The *Edinburgh Review*

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\* “Letter to Francis Jeffrey, Esq.”



in particular had marked them out for vengeance, and in November, 1822, an article appeared headed, "Durham Cafe—Clerical Abuses." Dr. Phillpotts was the only one of the clergy mentioned by name, and it is easy enough to see why this mark of distinction should have been accorded to him. The article is described by him as evidently written "by some inferior hand, who, without the slightest pretension to the strength of the serpent, can only exhibit the slime and the venom." This is a singularly happy description; applicable, unfortunately for the credit of journalism, to other articles besides that in the *Edinburgh Review*. After this statement it is almost a pity that he should have attempted any reply. There can be no pleasure in hunting down a loathsome reptile through masses of filth. When you have caught it you can do nothing with it. It seemed, however, to Dr. Phillpotts that the extensive circulation of the Review, and the inferences already drawn from the silence of the clergy, under charges most unceasingly brought against them, demanded that some notice should be taken of the attack. If any notice was to be taken, most people would agree that he was the man to take it. His answer assumed the form of a letter to the Editor of the *Edinburgh Review*, dated the 30th of December, 1822.\*

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\* "A Letter to Francis Jeffrey, Esq., the reputed Editor of the *Edinburgh Review*, on an Article entitled, 'Durham Cafe—Clerical Abuses,' by the Rev. H. Phillpotts, D.D., Rector of Stanhope."

The reviewer had thought it needful to enter largely into what he took for theology. His blunders, however, are not to be regretted, as they afforded to Dr. Phillpotts an opportunity of expressing himself on the doctrine of the Real Presence, which he declares to be "distinctly and unequivocally affirmed" in the Thirty-nine Articles. This is a valuable testimony, and none the less so from occurring in a place where one would so little expect to find it.

To show that the historical knowledge of the reviewer was about on a level with his theological attainments, the following remarks of Dr. Phillpotts will suffice :—

"Can a writer expect to be answered who will seriously quote Bishop Burnet for a recommendation and authority to the Episcopal bench of our days to live 'abstracted from courts, from cabals, and from parties?'—scenes in which that good bishop bore a busier part than the most secular of our prelates for a century past, and where by his zealous support of Whig principles he raised himself to that eminent station, which, together with his numerous virtues, would ensure him, if now living, a full share in the invectives of his present panegyrist."

The miserable equipment, however, of his assailant does not, in the Doctor's judgment, prohibit a reply ; and he proceeds to expose "the meanest artifice, and the most daring falsehoods," which "are resorted to without scruple or restraint," in the course of the review. After dealing with the attack on modern bishops, which had been made by the reviewer, with special reference to a recent speech by the Bishop of

London, on the subject of the Queen's degradation, Dr. Phillpotts goes on to state that the proceeding of Williams, in publishing an account of his trial for libel, has afforded "to the congenial spirit of this reviewer an opportunity of reviling the clergy and the Church of England, of which he has not failed to avail himself to the utmost."

"Decency," he adds, "and justice might have seemed to require that he should at least wait till the proceedings have been completed; but decency and justice are antiquated restrictions, which a modern reformer has long since learned to despise. Besides, if he did not send forth his strictures without delay, it might chance that the assertions, on which they were to be built, might lose even the faint semblance of probability which it was convenient to throw around them."

A statement in the letter of Dr. Phillpotts to Lord Grey, in reference to "the miserable mercenary who eats the bread of prostitution, and panders to the low appetites of those who cannot, or who dare not, cater for their own malignity,"\* causes the *Edinburgh Review* to fasten this somewhat ungraceful description on Williams, the defendant in the action for libel. Dr. Phillpotts denies the allusion, and humorously says:—

"After this we may find no difficulty in believing that the ingenious person who converted 'The Whole Duty of Man' into a series of libels, by labelling each vice with the name of the squire, the churchwarden, and so forth, was no other than an Edinburgh reviewer."

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\* See page 69.

The description evidently does not appear to have been as flattering to Williams as it was useful to the purposes of the reviewer, for in his affidavit before the King's Bench, in January 1822, he declared that he did not know who was intended by it.

"By what means," says Dr. Phillpotts, "he afterwards improved so wonderfully in the most important of all sciences—the knowledge of himself—or how he managed to 'screw his courage to the swearing point,' I shall not trouble myself to inquire."

And a little further on he adds :—

"In truth he was not idiot enough to fit the cap to his own head, till he fancied he could serve a desperate cause by wearing it."

So far from having assailed Williams, Dr. Phillpotts had carried forbearance to a point that must have been very trying to him. Week after week, and month after month, had Williams been dealing out the coarsest and foulest abuse of him in the columns of the *Durham Chronicle*, and it would not have been difficult to find passages that might have given rise to criminal proceedings. So far as it appears, Dr. Phillpotts did not retaliate, at all events in public, and with the exception of the single sentence in the letter to Lord Grey, which the reviewer claimed as describing Williams, nothing can be produced to show that he felt any irritation, or indeed was conscious of the attacks of the press.

Dr. Phillpotts next proceeds to that portion of the

review which relates to the conduct of the Durham clergy, in not causing the bells to be tolled on the death of Queen Caroline. "To that body," he says, "I did not belong: over the bells of any church in Durham I had no more control than the defendant or his reviewer." A little further on he declares that all the reviewer's clamour against the Durham clergy, for taking a prominent and violent part on the question of the Queen's guilt, is as wholly devoid of truth as his other assertions concerning them.

"They actually forbore," he says, "taking any part at all, till having been included in the description of a county meeting,\* which threatened the Sovereign with a revolution, in consequence partly of the proceedings against her Majesty, but chiefly of other alleged grievances, they exercised that right which none but those 'who,' in the cant of the reviewer, 'espouse liberal principles,' would deny them, and disclaimed all share in the acts of that meeting. But even in doing this, so little ground did they give for the charge of violence, in their language respecting the Queen, that, as far as the proceedings of the county meeting related to her Majesty, they considered it sufficient simply to declare their dissent."

Speaking of the difingenuous way in which the reviewer had performed his duty, Dr. Phillpotts says:—

"I will not pursue the disgusting task of tracing all the frauds and artifices of this person, whoever he be, who has thrust himself into the seat of justice, and, in conjunction with his brother reviewers, professes to decide equally and impartially on all kinds of merit and demerit, literary, political, and moral."

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\* See page 66.

He then exhibits the defendant's libel, and the description of it as given in the review, showing that, to answer the reviewer's purposes, it is stripped of every single expression which marks its libellous character. Not one line of the libel occurs in a long article which occupies nine-and-twenty pages of closely-printed matter. "What honest motive," asks Dr. Phillpotts, "can be assigned for such a suppression? Why is he thus anxious to hide from his readers the extent of the defendant's crime?"

The letter concludes with some withering remarks on the manner in which the *Edinburgh Review* was conducted. Not even the character of Jeffrey could be proof against such charges as Dr. Phillpotts heaps upon him. They deserve to be known, not indeed for the purpose of reflecting upon the memory of one who is no longer able to answer for himself, and who for once forgot his high sense of honour in dealing thus with a clergyman of distinguished position, but to show that whatever bitterness may appear in portions of this letter, and in other places where this topic is referred to, was justified (if ever there can be justification for asperity of language) by a series of affronts and invectives, unworthy alike of the *Edinburgh Review* and of the distinguished critic who conducted it.

"If by inadvertence," says Dr. Phillpotts, "anything false, unjust, or culpably offensive to the feelings of an individual, should for once have crept into his Journal, at least he would be anxious to prevent all recurrence of the injury. Has such been the conduct of the editor of this review? An

## 86 *Remarks on Conduct of Edinburgh Review.*

article was published in his sixty-fourth number,\* reflecting in the coarsest terms on my character. I answered that article by proving the wilful falsehood of its main allegations, and at the same time called on the author to defend his own veracity. Under that challenge he sat down in silence. He seized indeed (or some one for him) on some subordinate particular, and with much confidence of manner, and fresh scurrility of language, triumphed over my supposed misapprehension of a point of law. Here too he was defeated; his ignorance of the law was exposed, as his less venial practices had been detected before. Having done this, I addressed the Editor of the Review in terms of forbearance, perhaps I might say of courtesy, on the just grounds of complaint which I might urge against himself. After an interval of three years, being again assailed in the same Journal, with equal grossness, and as I have proved, with equal falsehood, I now tell the editor before the world, that on him will light all the ignominy of this second outrage; I tell him too that he would rather have forgone half the profits of his unhallowed trade, than have dared to launch against any one of his brethren of the Gown, the smallest part of that scurrility, which he has felt no scruple in circulating against Churchmen. To you, Sir, I make no apology for addressing you on this occasion. If you are not, what the public voice proclaims you to be, the Editor of the Review, you will thank me for thus giving you an opportunity publicly to disclaim the degrading title. If you are, it is henceforth to me a matter of indifference what such a person may think or say."

That Mr. Jeffrey should give utterance to some wails of pain under such a merciless castigation as this

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\* This article appeared in the number for October, 1819, and was entitled, "The Necessity of Parliamentary Enquiry." It related to the degradation of Queen Caroline.

was nothing more than might have been expected. Accordingly, in the next number of the *Edinburgh Review* (February, 1823) there appeared an editorial "note on Dr. Phillpotts," extending over upwards of four pages. Denying any *merit* to his pamphlet, the writer alleges its excess of violence and scurrility as its only claim to distinction.

As an example of the meekness with which he intends to school Dr. Phillpotts into better behaviour for the future, he begins by stating that every one of the charges brought by him against the reviewer is *utterly unfounded*, and that his errors are to be ascribed to *the violent passion* in which he evidently writes. After this conciliatory preface, he proceeds to examine certain statements in the letter to Jeffrey in a tone which renders it impossible to follow him, and which plainly proves that the wounds inflicted by the lash of Dr. Phillpotts were still green and aching. Nothing, however, is said which in the least affects the merits of the case, and the concluding sentences, in which all the previous charges against Dr. Phillpotts are reiterated and endorsed by the editor, can only have the effect of making every one regret that the manager of so distinguished a *Review* should have been wanting in the courtesy to confess that he was wrong, and refuse to an injured clergyman the only reparation which it was in his power to give.

That Dr. Phillpotts should have again adverted to the conduct of Mr. Jeffrey is not to be wondered at. The only marvel is that any skin, even if it were as



tough as the sevenfold shield of Ajax, should be able to endure a castigation so merciless.

The terrible denunciation which follows must have had its effect upon that motley brood of literary vipers, one characteristic of whom has ever been—

“The tongue that licks the dust,  
But, *when it safely dares*, is prompt to sting;”

and it is no wonder that Scotch theologians and critics should henceforward have done their best to keep themselves out of reach of the Doctor's arm.

“The editor's own feelings on this occasion,” he says, “may perhaps give him some lasting touches of remorse for more than twenty long and guilty years of wanton or wilful disregard of the feelings of others. Let him, in his present mood, look on the catalogue of honourable and distinguished names, which he and his confederates have laboured to make the sport or the victims of their spleen, their arrogance, or their party fury. Let him reflect on the meanness, as well as the injustice, of abusing the power, which the extensive circulation of his Journal gave him, to ‘blazon those names’ in every quarter to which English literature could reach, ‘in connection with epithets’ scarcely less painful (except that they were, for the most part, unmerited), than those, under which he now writhes, with the bitter consciousness that they are deserved. Let him remember, that, during so long a period, he has by himself, or his minions, pandered to all the envious and malignant feelings of his readers—used every engine of literary torture that could wound and lacerate ingenuous minds—left uneffayed no single gradation of cruelty, from ruffian violence down to the subtler and safer expedients of mock candour and contemptuous commendation—to establish a despotism of the pen, which, like other despotisms, has ended in destroying

itself. Let him read in the indignation, or the pity, of every impartial mind, his own large share in the common ignominy which has long been thickening round his band—and then, let him, if he will, affect to hide his shame under the babyish plea, that he did not load the piece, he only primed it and drew the trigger—that he has, in short, only hired himself out to a bookseller, for some stated hundreds of miserable pelf, to be the midwife and the nurse to every unfathered brood of calumnies which the malice of his faction shall engender. If he will, let him talk thus, and persist to defend what he knows is indefensible. But, rather, let him seek, in this, his day of deep humiliation, the real benefit which he ought to draw from it. Let him meditate on the painful contrast of what he is, with what he might have been—and what he yet may be. And then let him cast off at once the vile slough with which he is encumbered—again stand forth in some ingenuous form, and vindicate anew his title to that high respect, of which no man but himself could rob him. Let him do this, and he will yet have reason to rejoice that in one, whom he had doomed for his victim, he has found a monitor and a friend.”

This masterly description of the effects of perverted journalism may be commended to the consideration of one, at least, of our modern Reviews, which, in its restless eagerness to provoke a laugh, mistakes invective for wit, and is willing to purchase a reputation for cleverness at any price demanded by an insatiate public.

But, if Dr. Phillpotts had reason to complain of the malignity of his enemies, he was also rapidly making friends for himself in high places. The vigour of his writings, the subtlety of his wit, and the force and decision of his character, pointed him out as a valu-

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able ally to any Government. It was about this time, therefore, that overtures were made to him by Lord Liverpool, who was desirous of raising him to the Irish Episcopal Bench. The See of Clogher, then vacant by the deprivation of the Hon. Percy Jocelyn, with its princely income of 14,000*l.* a-year, would have been a tempting offer to most men; but, with greater sagacity, Dr. Phillpotts declined the honour, rightly enough concluding that his talents and reputation would soon open the way to equal or greater dignities in England. That he himself expected that this would be the not unnatural termination of his labours, is evidenced by his having made a promise to the Bishop of Durham (Dr. Barrington), on his presentation by him to the Rectory of Stanhope, that he would not accept a bishopric during his lordship's lifetime without his consent, nor after his death, unless it should seem to him that, if that prelate were alive, he would approve of his acceptance of it.

## CHAPTER VIII.

*Mr. Charles Butler's Book. The Answer of Dr. Phillpotts. Motives for undertaking it. Odium inevitable to it. No Desire to see the Restrictions of Roman Catholics strengthened. The Difficulty and Unpopularity of the Task. The Courage of Dr. Phillpotts. Value of his Letters to Mr. Butler. Devotion to the Virgin Mary and other Saints. Roman Catholic Explanations of the Way in which they receive the Prayers of Men. Their Futility. Doubtful Character of certain Roman Saints. An Example. Image-worship. S. Thomas Aquinas contrasted with the Second Council of Nice. Awkward Dilemma. Specious Attempts of Roman Catholic Writers to disguise the Doctrine of Image-worship shown (1) from the Theory of their Church, and (2) from its Practice. Examples. Summing-up of the Question. Dr. Lingard's Unfaithfulness in Quotation. Attempts of Roman Catholic Writers to soften down the Doctrine of Purgatory. Dr. Milner's Definition of it. A True Statement of it. Authority attributed by Bellarmine to Visions in support of Purgatory. Summarily disposed of by Dr. Phillpotts. S. Augustine improperly claimed in favour of Purgatory. Means of relieving those who are confined there. Effect of the Doctrine of Vicarious Satisfaction. Declarations of the Bible and the Church of Rome contrasted. Indulgences. The Ground on which the Doctrine rests. The Practice of the Roman Church. Confession and Absolution. A Clergyman compelled to give Evidence of a Confession in a Court of Justice. Impropriety of this shown by Dr. Phillpotts. S. Augustine and Pelagius. Dr. Phillpotts' Statement of Doctrine of Real Presence. Defective, as ignoring the Objective Presence. Archbishop Wake defended against Imputation of favouring Roman Doctrines. The Assertion that Bishop Hoadley had many Followers among the Clergy refuted. The Power of the Pope examined. Examples of its Exercise. The Treatment of Heretics. Illustration of the Doctrine that Oaths are*

*not to be kept with them. The Spirit of the Papacy unchanged, as proved by the Recall of the Jesuits and the Revival of the Inquisition. Character of Dr. Phillpotts' Letters to Mr. Butler.*



THE year 1825 was remarkable in the life of Dr. Phillpotts for witnessing the production of the most important literary work upon which he had yet engaged. Mr. Charles Butler, a Roman Catholic layman, and member of Lincoln's Inn, distinguished no less for his amiable qualities than his undoubted talent as a controversial writer, had published a learned and laborious work, entitled, *The Book of the Roman Catholic Church*. It was in answer to this, or rather to the tenth Letter of it, entitled, *View of the Roman Catholic System*, that Dr. Phillpotts came forward to correct what seemed to him to be a very erroneous statement, in some respects, of the doctrines of his own Church, but in a much greater degree of those of the Church of Rome. It was a congenial task, and the result of his labours was the production (April, 1825) of fifteen Letters addressed to Mr. Butler,\* and dedicated, together with an Appendix, to his old friend and patron, Dr. Barrington, Bishop of Durham.

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\* "Letters to Charles Butler, Esq., on the Theological Parts of his 'Book of the Roman Catholic Church,' with Remarks on certain Works of Dr. Milner and Dr. Lingard, and on some Parts of the Evidence of Dr. Doyle before the two Committees of the Houses of Parliament, by the Rev. Henry Phillpotts, D.D., Rector of Stanhope."

In undertaking the task Dr. Phillpotts does not seek to disguise the probability that he will be charged with reviving past differences. But, whatever the effect of such a charge may be, with perfect manliness he avows:—

“It surely cannot be necessary for a clergyman of the Church of England to apologise, at any time, for bringing forward the real grounds on which his Church found itself compelled to separate from the Church of Rome.”

Such a diffidence, in truth, would argue, not so much tenderness towards the principles of an adversary, as a cowardly surrender of one's own. He is conscious, also, that the appearance of his work, at a time when men's minds were agitated as to the propriety of removing the remaining political restrictions under which the Roman Catholics laboured, would be construed into the wish of seeing those restrictions strengthened and perpetuated.

“I think it proper to declare,” he says, “that such is very far from being the motive of my present undertaking. If the time of this publication may seem to argue the contrary, let me remind you that this time is not of my choosing, but of yours. At any period, and under any circumstances, I should have judged it right to expose so important a mis-statement as I consider yours to be: and I am not prevented from so doing by an apprehension that I may be thought desirous of supporting one side of a great political question by the indirect influence of a theological argument.”

Surely this frank and manly avowal should have shielded Dr. Phillpotts from those cruel attacks which were afterwards made upon the purity of his motives

and the consistency of his principles. He had taken upon himself a difficult and a thankless task. The great reputation of Mr. Butler, supported by Dr. Milner's *End of Controversy*, could not fail to have worked irreparable mischief, if his statements had remained uncontradicted. It was, indeed, an unpopular undertaking to contradict them, for the utmost skill and ingenuity of the advocates of Roman Catholic relief had been exhausted in endeavouring to make it appear that the creeds of the English and Roman Churches were as similar as possible. So great was the "liberalism" of the day that points of difference were rapidly vanishing, and plain men began to wonder why there had been such a turmoil about the Reformation. But thankless as was the office of awakening the nation from the easy slumber of indifferentism into which it had fallen, lulled by the most soothing tones of its chosen orators, yet Dr. Phillpotts shrank not from it. God had given to him the learning and ability to overthrow the sophistry of adversaries, and right manfully did he do his work. This consideration alone should have shielded him from railing tongues.

Want of space will render it impossible to go through these masterly letters in detail, more particularly as portions of them will be touched upon in connection with Dr. Phillpotts' letters to Mr. Canning. The utmost, therefore, that can be attempted will be to direct attention to some of the most interesting subjects referred to in them. And this is done with the pro-

foundest reverence for the learning, skill, and temper displayed throughout the whole. As long as any controversy shall exist between the Churches of England and Rome, so long, it may safely be affirmed, will these letters remain a storehouse of knowledge for every student of theology.

In the second Letter, which is occupied with a consideration of the "Devotion to the Virgin Mary and other Saints," Dr. Phillpotts takes occasion to examine what is meant by the *veneratio* and *invocatio* which the Roman Church enjoins to be paid to them. After showing that the Council of Trent assigns to them one of the distinguishing attributes of God—a knowledge of what passes in the hearts of men, inasmuch as *mental prayer* is included in the devotion to be paid to them, and that another attribute ascribed to them is presence throughout the habitable globe at the same time, as a necessary consequence of the duty of praying to them, he continues :—

"I am aware, indeed, that some ingenious expedients have been suggested [to avoid the consequence arising from the above positions]. For instance, that God is pleased by immediate revelation to inform the Virgin, and the saints, of every supplication addressed to them ; and this seems to be the solution favoured by Dr. Milner. But, as you tell us that prayers are offered to the saints, only that they may offer prayers to God on our behalf, it follows, that God first reveals to them what we entreat them to pray to Him for us,—a process which is not very satisfactory to men of plain understanding. It is told of a great man who had the misfortune of writing very illegibly, that he was in the habit of



accompanying every letter written by his own hand with a transcript of it by his secretary, in order that he might at the same time testify his respect, and consult for the convenience of his correspondent. Now this, which is the very reverse of the supposed mode of availing ourselves of the assistance of the faints in our prayers, seems to be much the more rational course of the two.

“But another solution of the difficulty has been devised:—that the faints have their information, not from God, but from the angels. This, however, I fear, removes the difficulty but a single step. For whence have the angels a knowledge of our prayers? What supports the tortoise? Accordingly, a third plan has been thought of:—that the faints see *in the mirror of the Deity* all that it is His pleasure they should see, and, among other things, the prayers of their supplicants. A fourth mode of explaining the matter is, the supposition of an inconceivable celerity in the locomotion of angels and faints—a celerity which, if it be sufficient for its purpose, is so near akin to ubiquity, that it leaves us where it found us.”

A little further on Dr. Phillpotts suggests another and a serious difficulty relating to the amount of honour to be paid to the faints:—

“As you are in the habit of addressing a good many faints, the merits of very few of whom are mentioned in Scripture, a plain man might ask, What assurance you have that they really are faints? Is it not possible that very awkward mistakes may occasionally happen? That you may, for instance, address your petitions to persons of very different characters, and occupying a very different place in the world of spirits, to that which you suppose?”

The answer to this is the solemn canonization of deceased persons under the especial cognizance of the Pope; and Dr. Phillpotts mentions the case of Pope

Alexander III, who had occasion to reprehend certain persons for worshipping, as a martyr to the cause of true religion, a man who was in truth only a martyr to the strength of his wine, having been killed in a state of drunkenness.

In the third Letter Dr. Phillpotts exposes the dishonesty of Roman Catholic writers on the subject of "Image-worship." As a proof of this he sets the authority of S. Thomas Aquinas against that of the Second Council of Nice. The former maintained that the image of Christ receives no reverence, as it is a piece of wood, or other substance, but is revered as representing a rational being, and that therefore the reverence paid *to the image of Christ* must be *the same* as that which is paid to *Christ Himself*. The Second Council of Nice,\* on the other hand, decreed that, like the image of the precious and life-giving Cross, the venerable and holy images be set up, so that they who behold them may pay them "salutation and respectful honour; not indeed that true worship which is according to our faith, which only befits the Divine Nature," &c. Dr. Phillpotts thus remarks upon the discrepancy:—

"S. Thomas's doctrine (though in accordance with that of S. Bonaventure, Cardinal Cajetan, and others) was in direct opposition to a much higher authority than any of them—I mean the Second Council of Nice; the scandal whereof is so great that Bellarmine is driven to conjecture

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\* Assembled, in 787, by the Empress Irene, to reverse the decrees of Constantinople, and establish image-worship.

that S. Thomas had never seen the Acts of that Council—a supposition which is rather awkward, considering that one of the characteristics of a General Council is, that ‘their sound is gone out into all lands, and their word unto the ends of the world;’ and yet the greatest of schoolmen, it seems, five hundred years after the Council had sat, was an utter stranger to its proceedings! But awkward as this supposition is, it is nevertheless absolutely necessary; otherwise a still more awkward alternative presents itself. For either the Second Nicene Council, approved by Pope Hadrian, accepted by the whole Church, and declared to be a General Council by the inspired assembly at Trent, was no General Council, and so the infallible Church hath erred; or else S. Thomas, the angelic Doctor, in spite of his sainthood, aye, and S. Bonaventure too, the seraphic Doctor, who is declared in the bull of his canonization to have ‘discouraged on these matters as if the Holy Spirit spoke by his mouth,’ were no better than rank heretics.”

The specious arguments with which Roman Catholic writers disguise the worship which is shown to images are well exposed by Dr. Phillpotts. “Decent respect” is all that Dr. Milner pretends to demand for them in his *End of Controversy*; and he maintains that the object for which pious pictures and images are retained in churches is “the same for which pictures and images are made and retained by mankind in general—to put us in mind of the persons and things they represent.” The falsity of this is shown by Dr. Phillpotts (1) from the *theory* of the Roman Church as contained in the decrees of the Second Nicene Council, on the perfect infallibility of which the infallibility of the Roman Church depends. Some curious cases are recorded of the testimony rendered by bishops and others

at this council in favour of the worshipping of images. There is one story (recited from the *Limonarium* of Sophronius, Archbishop of Jerusalem) attesting the hatred which the devil bears to images, which is too edifying to be omitted. A certain hermit was harassed by the demon of incontinence. One day the devil presented himself before him, and promised that he would tempt him no further, if he, on his part, would swear to observe what he told him. The hermit swore. "Do not worship this image," said the devil, pointing to one of the Blessed Virgin with the Child Jesus in her arms, "and I will never attack you again." The hermit felt that he had been incautious, and demanded time for deliberation; whereupon the devil went away. Having consulted the Abbot Theodore, and told him all that had passed, he was dismissed with the following assurance, "You had better not leave a single brothel in this city unvisited, than refuse to worship our Lord Jesus with His mother in image." The conduct of this hermit is compared by the Fathers of the Council to S. Peter's denial of our Saviour with an oath, and afterwards repenting !

"It is but justice to the liberality of the council," says Dr. Phillpotts, "to state, that the quality of the personage to whom the hermit had taken his oath is not permitted to affect the argument. They are determined solely by the matter of the hermit's oath, as it involved a renunciation of the worship of images : so that to my Protestant readers the judgment of these holy fathers may be more simply stated thus ; *it is a greater sin to keep the second commandment than to break the third and the seventh.*"

But the falsity of the statements of Roman apologists about image-worship is also shown (2) from the *practice* of their Church. Dr. Phillpotts quotes passages from the Missal where "the ministers of the altar, and the rest in succession, *adore the cross*," and where "*the adoration of the cross being finished*, the deacon reverently receives the cross, and carries it back to the altar." He also quotes prayers from the *Pontificale Romanum*, "*De benedictione novæ Crucis*," in the course of which the pontiff kneels before the cross, and "*devoutly adores it*."

Dr. Phillpotts then demands whether the Roman doctrine of image-worship is the harmless thing it is represented to be. If it implied nothing more than "decent respect,"—

"Could it," he asks, "have so often led its followers to the practice of direct idolatry? Or could the rulers of your Church have hesitated one instant to forbid all images, when the use of them was so little necessary, and the abuse so common and tremendous? If it were only this, could cardinals, and popes, and saints, have so grossly misconceived, or so impiously perverted it? If it were only this, could the assembled piety and wisdom of the universal Church; above all, could that Holy Spirit, Whom the Lord of life and love sent into the world to bless, to comfort, and to support His children, could He, guiding by His secret influence the decisions of a general council, condemn the impugners of such a doctrine to eternal torments? Could He, for so slight an error, have shut us out from all hopes of mercy, have denied us all share in our Redeemer's merits, made us outcasts from His love and aliens from His inheritance? Is it thus His blessed promise is fulfilled, that 'even the bruised reed He will not

break, and the smoking flax He will not quench?" Has that Holy Spirit told us that 'we shall not make to ourselves any graven image, nor the likeness of anything in heaven, in earth, or under the earth; that we shall not bow down to them, nor worship them;' and does the same Spirit cut us off for ever, if yet we scruple to respect and venerate them? Is the exact measure of observance due to images, by the will of God, so very nice, so very delicately poised, and yet is mistake on either side big with danger to our soul's salvation?

"Will you dare to answer these questions in the affirmative? If you will not, you must acknowledge that the representation of your Church's doctrine, made by your modern apologists, is, in this instance, false and deceitful."

The fourth Letter, relating to Dr. Lingard, the Roman Catholic historian, an old antagonist of Dr. Phillpotts,\* and his unfaithfulness in quotation, is well worthy of careful study, as showing the petty artifices which even the more respectable among Roman Catholic controversialists shrink not from adopting to support a tottering cause. After showing the unscrupulous way in which he had garbled some remarks of Anastasius Bibliothecarius, in his Preface to the Seventh Synod (the Second Nicene), Dr. Phillpotts concludes,—

"Perhaps, however, you will by this time understand why I now attend not to what Dr. Lingard may say, but to what he may prove; and that to a history by that writer I do not attend at all."

The attempt of Roman Catholic writers to soften down the doctrine of "Purgatory" next engages the

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\* See page 12.

attention of Dr. Phillpotts in the fifth Letter. Dr. Milner had not feared to assert that there are only two points defined by the Roman Church, viz. that there is a middle state, called Purgatory, and that the souls detained in it are helped by the prayers of the faithful on earth. This, it must be confessed, is a comfortable, if not a satisfactory, way of getting out of the difficulties involved in this dogma. But Dr. Phillpotts is not so easily satisfied: he therefore proceeds to state what purgatory is according to authorized Roman writings. For brevity and accuracy it is probable that a better description does not exist.

“It is the doctrine of the Church of Rome, that, although in Baptism all sin previously committed is freely forgiven, and all punishment on account of it, temporal as well as eternal, is fully remitted, yet after Baptism, mortal sins are not dealt with so leniently; even when they have been remitted in the sacrament of penance, and so the guilt of them (*reatus culpæ*) and the eternal punishment in hell on account of them, have been removed. In short, there still remains due to Divine justice a temporary punishment; and those who have not satisfied for this temporary punishment by their works or their sufferings, in this life, must suffer for them in purgatory after death. And so necessary an article of faith is this held to be, that an anathema is expressly denounced by the Council of Trent against all who shall deny it.”\*

He then speaks of the authority attributed by Bellarmine to visions, as attesting the existence of purgatory. That author, the depth of whose learning

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\* Sess. vi. c. 30.

and the strength of whose arguments must ever give him a foremost place amongst controversial writers, distinctly asserts that it has pleased God sometimes to raise His servants from the dead, and to send them to announce to the living what they have really beheld. This assertion, and the two narratives which follow in support of it, are most happily disposed of by Dr. Phillpotts :—

“ Here it is obvious to remark, how much more gracious God is represented to have been to your Church in this particular, than might have been expected from His declaration in the Gospel, ‘ If they hear not Moses and the Prophets, neither will they be persuaded, though one rose from the dead.’ It may indeed be said, and I am ready to admit the whole force of the suggestion, that neither ‘ Moses and the Prophets,’ nor Christ and His Apostles, have said a single word about purgatory, and therefore an especial revelation in proof of it was by no means superfluous.”

It is well known that S. Augustine is claimed by the Roman Catholics as an authority in favour of their doctrine of purgatory ; but the slenderness of the grounds on which this claim is founded is not so generally understood. Dr. Phillpotts goes into the question at considerable length in his sixth Letter, and exposes the unfairness of Dr. Milner’s quotations and deductions.

“ The truth is,” he says, “ that the real words of Augustine, though a most undeniable evidence in favour of sacrifices of the altar, and of alms for the dead, are a strong testimony *against* the Roman doctrine of *Purgatory*.”

That prayer for the dead was in use in the early



Church Dr. Phillpotts readily enough admits, but contends that it was a very different thing from the modern Roman practice, and proceeded on very different grounds. So much so indeed—

“That, in Augustine, passages which prove the practice of prayer for the dead, are in general found in company with others which negative a belief in purgatory, never (as far as I have seen, or Dr. Milner has shown), with any which affirm it.”

In the seventh Letter Dr. Phillpotts proceeds to consider the means of relieving those who are confined in purgatory. And here he has recourse to the authorized documents of the Roman Church, which set forth that “God has mercifully granted to the infirmity of the human race, that one man may be able to satisfy for another;” that is, to satisfy for the temporal punishment due to mortal sins, whose guilt and eternal punishment are already remitted. This certainly is a comfortable, if not an edifying, article of belief, for it is in the power of surviving friends to make that satisfaction for the sins of the deceased which he omitted to do before he died. On this arrangement of vicarious satisfaction Dr. Phillpotts remarks with as much of pleasantry as force:—

“As these friends of the deceased may chance to be unmindful of them, or may have enough to do on their own account, a prudent penitent, if he be also an opulent one, will take care, in contemplation of the pains of purgatory, to make his testamentary dispositions in such a manner as shall secure the performance of an adequate number of

masses for his relief. The Council [of Trent], with laudable attention to the equity of these transactions, strictly enjoins that the money shall not have been received, without a return of the money's worth: that 'whatever shall be due for the faithful defunct, according to the foundations of testators, or on any other score, shall be discharged, not perfunctorily, but by the priests and ministers of the Church, and others whom it may concern, with diligence and accuracy.' "

After pointing out that the "faithful" in former days had not been slow or niggardly in this comfortable way of turning the mammon of unrighteousness to a serviceable account, he continues:—

"Let us hear, then, the conclusion of the whole matter. 'How hardly shall he who trusts in riches enter into the kingdom of God,' says the Gospel of Christ Jesus. 'How hardly shall he, who trusts in riches, be kept out of the kingdom of God!' says the gospel of the Church of Rome. If it be one of the high distinctions of the former, that to the poor the Gospel is preached, it may be not less the appropriate boast of the latter, that by it the case of the rich has been no less happily provided for. Charles II. had good reason for saying that yours is the only religion for a gentleman."

The eighth Letter is occupied with the consideration of "Indulgences," the real nature of which it is the aim of Roman Catholic writers to disguise. After exposing some of the expedients to which they scruple not to resort, Dr. Phillpotts proceeds to give a clear and concise view of the ground on which the doctrine rests, the correctness of which it would be easy to sustain by authorities of the highest credit in the Roman Church.

"It rests, (as I need not remind you, though you have made it necessary that I should remind your readers,) on the alleged 'treasure of your Church,' a treasure which is absolutely inexhaustible; for it consists, first, of all the merits of Christ's sufferings beyond what was necessary for the redemption of mankind; and as those merits were infinite, their value could not be diminished by that or any other application of them; they must still, therefore, continue infinite. But over and above, and (what is somewhat remarkable) in aid of this infinite treasure, you have in the second place, a subsidiary hoard, namely, the merits of all the works, which all or any of the saints have ever performed beyond what was necessary to satisfy for themselves; these you, of course, regard as a very large sum; the Virgin Mary's merits in particular must have been enormous; for she had not even venial sin of her own (as we have already seen) to curtail their amount. Now, all these merits, I say, are a sacred treasure to be dispensed at the discretion of the Church, that is, with rare exceptions, of the Pope, to meet the exigencies of the faithful. Accordingly, Bellarmine has said that an 'indulgence is nothing else, than an application of the satisfactions, or penal works of Christ and the Saints.'"

Having stated the doctrine, he next proceeds (2) to the *practice* of the Roman Church in respect of indulgences.

The earliest instances on record were those granted to the Crusaders, who, in consideration for their zeal in fighting for the recovery of the Holy Land, received from the Pope "remission of all their sins," or, in other words, entire exemption from the pains of purgatory.

"And this," says Dr. Phillpotts, "it must be allowed, was only putting the armies of the Cross on an equal footing with those of the Crescent. Mahomet had promised to his

followers, that all who fell in battle on his side should be admitted at once to the joys of Paradise ; and was it reasonable that the Pope should be backward in affording similar encouragement to Christian warriors ?”

The cases of Innocent III. and Honorius II. are then cited, both of whom levied armies, in which immunity from purgatory formed the chief part of the pay.

“ But these are all military and somewhat perilous works,” says Dr. Phillpotts. “ There were other indulgences granted on more peaceful and ordinary occasions. Such was that of Paschal II. in favour of all who devoutly visited the churches of the Apostles at Rome ; such, too, was that in favour of those who assist at the Pope’s solemn benediction on Easter Day. In process of time, indeed, indulgences, even plenary ones, were to be had on extremely reasonable terms. In the pontificate of Leo X. they were some of the most marketable commodities of the day, and seem to have been sold sufficiently cheap.”\*

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\* “ Thus were men taught to put their trust in riches ; their wealth being thus invested, became available to them beyond the grave ; and in whatever sins they indulged, provided they went through the proper forms, and obtained a discharge, they might purchase a free passage through purgatory, or at least an abbreviation of the term, and a mitigation of its torments while they lasted. How severe these torments were to be, might in some degree be estimated by the scale appointed for those who were willing to commute, at a certain rate, while they were alive. The set-off for a single year was fixed at the recitation of thirty psalms, with an accompaniment of one hundred stripes to each : the whole psalter, with its accompaniment of fifteen thousand, availing only to redeem five years.”—SOUTHEY’S *Book of the Church*, vol. i. chap. x.

The ninth Letter, on "Confession and Absolution," will be more appropriately considered further on in this work, in reference to a letter by Dr. Phillpotts to the Dean of Exeter on the same subject. It was reprinted in a separate form, and obtained an extensive circulation among the clergy.

The tenth Letter, (a very short one,) "on the supposed legal necessity of a minister of the Church of England giving evidence in a Court of Justice, of what has been confided to him in confession," arose out of the following circumstances. At the assizes for Northumberland, a prisoner, who was on his trial for murder, had confessed his guilt to a priest of the Church of England. That clergyman was required to give evidence of the confession, and an objection to it taken by the prisoner's counsel was over-ruled by Mr. Justice Wilson, before whom the case was tried. The importance of this question it would be hard to over-estimate. While Dr. Phillpotts inclines to the belief that confession to a priest would fall under the application of the ordinary law of evidence, and so be required to be divulged in a Court of Justice, he nevertheless maintains that there is special ground for protection in the case of priests of the *English* Church. This ground is to be discovered in the Liturgy and Rubrics, which, if not actually part of the law of the land, are regarded by it "as pointing out, in all particulars included in them, the real duty of Christians." He refers to the rubric in the Office for the Visitation of the Sick, which, "in certain circumstances,

enjoins secret confession to a priest, as a part of Christian duty," and points out that the Liturgy, in the exhortation to Holy Communion, "specially invites" the penitent to similar confession.

"Does, then, the Law of England," he inquires, "subject to civil mischiefs of the gravest kind, those who comply with what it admits to be their duty as Christians, because they comply with it? Is it thus that the great boast of Englishmen is realized, that Christianity is part of the common law of the land? But this is not all. If the clergyman is bound to reveal in evidence what has been communicated to him in confession, he is also bound to reveal it, in case of felony, without waiting to be summoned as a witness at all. If he does not, he is guilty of misprision of felony. Will a principle, drawing this monstrous consequence after it, be maintained? Shall the clergyman be subjected to fine and imprisonment for not disclosing to man what the law of God commands him to conceal? But to this extent the principle, if it be a sound one, must be confessed to lead."

The thoroughly sensible and practical view taken by Dr. Phillpotts in the above extract entitles him to the respectful thanks of every English Churchman.

The eleventh Letter, on "Augustine and Pelagius," requires no comment, as it merely sets forth that, in Dr. Phillpotts' judgment, Mr. Southey, in his *Book of the Church*, has not formed an accurate estimate of the points in controversy between them, inclining more to the side of Pelagius than is consistent with any very rigid notions of orthodoxy.

The twelfth Letter, on "Transubstantiation," affords to Dr. Phillpotts an opportunity of stating what he conceives to be the doctrine of the Church of England

on the Real Presence. Reference has already been made to places\* where he treats the doctrine in general terms; but here his statement is far more explicit:—

“She holds that after the consecration of the bread and wine they are changed, not in their nature, but in their *use*; that, instead of nourishing our bodies only, they now are instruments by which, when worthily received, God gives to our souls the Body and Blood of Christ to nourish and sustain them; that this is not a fictitious or imaginary exhibition of our crucified Redeemer to us, but a real though spiritual one; more real, indeed, because more effectual, than the carnal exhibition and manducation of Him could be, (for the flesh profiteth nothing.) In the same manner, then, as our Lord Himself said, ‘I am the *true* bread that came down from heaven,’ (not meaning thereby that He was a lump of baked dough, or manna, but the true means of sustaining the true life of man, which is spiritual, not corporeal,) so, in the Sacrament, to the worthy receiver of the consecrated elements, though in their nature mere bread and wine, are yet given truly, really, and effectually, the crucified Body and Blood of Christ; that Body and Blood which were the instruments of man’s redemption, and upon which our spiritual life and strength solely depend. It is in this sense that the crucified Jesus is present in the Sacrament of His Supper, not in, nor with, the bread and wine, nor under their accidents, but in the souls of communicants; not carnally, but effectually and faithfully, and therefore most really.”

This extract is given, not as containing the true doctrine of the Church of England on the subject of the Holy Eucharist, but for the purpose of hereafter

comparing it with other statements by Dr. Phillpotts.\* Meanwhile, it may suffice to say that this exposition of doctrine rises not at all above the level of Zuinglian-ism, since it is founded throughout on the notion of a mere *subjective* presence, the *objective* being never taken into account. In the last paragraph it seems to be forgotten that the thing received in the Holy Eucharist consists of two parts, different indeed in character, yet inseparably united one to the other—the *sacramentum* and the *res sacramenti*; and that in receiving the former we also receive the latter. Whether, however, we also receive the *virtus sacramenti* is another question, and one which depends upon the dispositions with which we receive that holy sacrament.

The commencement of the thirteenth Letter is occupied with a defence of Archbishop Wake against the imputation of favouring Roman doctrines. The idea having been first started by the Bishop of Norwich in his place in Parliament, it was eagerly adopted by Dr. Milner, and turned against the clergy of the Church, for the purpose of showing their intolerant spirit. The conduct of the Archbishop has already been referred to;† it will be needless, therefore, to say more than that Dr. Phillpotts thoroughly exposes the disingenuous use which Dr. Milner had attempted to make of his

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\* Particularly in reference to a reply to an Address of the Clergy of the Diocese of Exeter on the case of Archdeacon Denison.

† See pages 34—37.



revered name. With equal force and ability does he dispose of the charge that a large proportion of the Church of England were disciples of Hoadley, and, as such, denied the existence of Sacraments. After asserting that in the experience of his whole life, spent under circumstances which gave him unusual opportunities for observing the opinions of those with whom he had to deal, he had never met with a single minister of the Church who held the notion imputed to them, Dr. Phillpotts continues :—

“The truth is, (and for testimony to it I appeal to all men of all sects and parties who have any opportunity of observing,) that, whatever faults may be ascribed to the present clergy of the Church of England, indifference to the tenets of that Church forms no part of their character. There is, on the contrary, an increased and increasing spirit of earnestness in investigating, and of zeal in preaching them; nor could an adversary at any period since the Reformation, with less shadow of justice than at present, have arraigned the Established Church for unfaithfulness to the Articles of their religion. Nay, even in Hoadley’s own time, so little were his notions countenanced by the clergy, that the Lower House of Convocation passed a strong vote against him; nor could anything have shielded him from the further consequences of their indignation, had not the injustice or the timidity of Government prevented that body from ever deliberating again.”

Letter the fourteenth is on “the Power of the Pope,” which Dr. Phillpotts characterizes rightly enough as a monstrous claim to a pre-eminence, not of rank merely, but of authority and jurisdiction over the greatest princes of the earth—a right to depose them for heresy

and favouring hereby, and a consequent right to absolve subjects from their allegiance. After quoting the Council of Florence, the Fourth Lateran Council, and the canons in support of this view of the Papal power, he proceeds to show that it was no mere empty honour, but was often exercised in a way at once energetic and formidable. A Roman Catholic witness before the Committee of the House of Commons having asserted that the Popes rested their title to temporal interference upon some temporal right previously acquired by themselves or their predecessors, Dr. Phillpotts continues:—

“I may be permitted to ask, What temporal right had been acquired by Gregory III. over the Eastern Empire, entitling him to forbid taxes to be paid to Leo the Iconoclast, who had been excommunicated by him? Again, who had given Zachary, or any of his predecessors, any temporal right over the kingdom of France, by virtue of which he actually deposed Childeric on account of his being indolent and useless, and substituted Pepin in his place?”

He might also have inquired, with equal force, what right Alexander the VIth had to bestow America on Spain, and India on Portugal.

After an examination of Bellarmine's doctrine of the Pope's power in temporals, a somewhat instructive portion of which is that the Church does not always exercise the right, “*either because it has not sufficient strength, or does not think it expedient,*” Dr. Phillpotts goes on to consider the treatment of heretics. Fully admitting the right of the Church to cut off its unworthy members,—

"Therefore," he says, "if excommunication were all the penalty which the Church of Rome had claimed a right to inflict, there could be no fair ground of complaint against her; even though the civil power, acting on the judgment of the Church, should, of its own motion, inflict on those whom the Church had excommunicated any measure of punishment whatever."

But, so far from this being the case, the Great Lateran Council \* had decreed that heretics were to be delivered over to the secular power, to be punished in the manner that is due.

"What that manner is," says Dr. Phillpotts, "I need hardly remind my readers. It was death—death in its most appalling form, death by burning. This accursed sentence was the invention of the Church of Rome; its canons recognize it, those canons to which councils refer."

As to the question whether oaths with heretics are binding, after quoting the well-known cases of John Hus, and Jerome of Prague, Dr. Phillpotts mentions another, which, if less widely known, is equally to the point:—

"It is the case of Paul V, who is said to have adopted a more ingenious, and hardly less satisfactory course, than the Council of Constance followed in Jerome's instance. Father Fulgentio, the friend of the illustrious Paul Sarpi, was prevailed with to come to Rome under a safe-conduct granted by the Pope. When there, he was treated as a heretic, and on appealing to his safe-conduct was answered, that *the conduct was safe for his coming thither, but not for his going thence*. After this, who will deny the strict fidelity of the Church of Rome to all its engagements with heretics?"

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\* Convened by Innocent III. in 1215.

Among these engagements, it has always reckoned as the most sacred that of labouring for the spiritual good of its rebellious children, 'the deserters from its camp,' as the Catechism of Trent calls them, by a little gentle corporal correction."

In the fifteenth and last Letter Dr. Phillpotts asserts that the spirit of the Papacy is ever the same, and that if it is now less imperious in its demands than formerly, it is from lack of power to enforce them.

"Not that there is any ground of hope," he says, "that the spirit of Rome is grown at all more tolerant, less ferocious, or less ambitious. It is declared by its own advocates to be unaltered and unalterable. The history of ages attests the momentous truth. Twelve hundred years have now passed over the heads of men since this spiritual tyranny first showed its portentous form; during that period states and empires have disappeared from the face of the earth; but Rome, Papal Rome, is still the same—still adheres with undiminished zeal to that one subtle, daring system, which, through every variety of power and fortune, it has contrived to cherish, and commonly to advance."

He then instances the recall of the Jesuits by Pius VII, after they had been banished by Clement XIV, and the revival of the Inquisition, as evidence of the unyielding spirit of Rome, and the pertinacity with which she returns to her original principles. Speaking of the Inquisition, he denounces it as—

"That accursed instrument of spiritual tyranny, which no English Protestant, even in the security of his own land, can think on without horror. The office of the Inquisition, which owed its rigour at least, if not its birth, to the same Pontiff who convened the great Lateran Council, and there devised those decrees against heretics which nothing

but such an institution could execute,—that Inquisition which Paul IV. ascribed to the special inspiration of the Holy Ghost, and with his dying breath commended to his cardinals as *essential to the very existence of the authority of the Church*,—that Inquisition is again in being, not in Spain only, but in Italy. Need I say more. The monster lives !”

The Letter concludes with some well-turned compliments on the character and abilities of Mr. Butler, and an earnest deprecation on the part of Dr. Phillpotts of any asperity which inadvertently may have appeared.

But, so far from any harshness being traceable in these Letters, they are in truth models of courtesy. Never for one moment does Dr. Phillpotts forget what is due to his own character, and that of his opponent ; nor can a single instance be cited in which he endeavours to strengthen his argument by any uncandid statement of facts. An air of fairness breathes through every line.

Well might the writer say to his adversaries :—

“ There is no terror in your threats,  
For I am armed so strong in Honesty,  
That they pass by me as the idle wind,  
Which I respect not.”

Would that all controversialists would follow in the steps of Dr. Phillpotts and not regard the end, without jealously watching over the means !

If his language occasionally assumes the tone of indignant protest, it is due to those spiritual guides of Mr. Butler who misled him on points where his own

judgment would never have seduced him. Arduous as was the task of hunting professed controversialists through every citation they made, yet all must admire the forbearance of Dr. Phillpotts while exposing even the most disingenuous and clumsy of their devices. His temper never fails him under circumstances the most irritating. From beginning to end he mingles a quiet humour with his argument, which relieves the subject of its tediousness, and reveals the almost boundless resources of his wit. That Mr. Butler himself was powerfully impressed with the courtesy of his opponent may be gathered from the fact of his seeking an introduction to him, and cultivating his acquaintance.

## CHAPTER IX.

*Supplemental Letter to Mr. Butler. Its Origin. Dr. Kelly's Attempt to explain away Prayers addressed to the Virgin. His Sophistry exposed. Examples of Blasphemous Prayers. Image-worship evaded by Roman Catholic Writers. Miraculous Images. The Bambino and Winking Virgin of Ancona. Profuseness of these Wonders. Their authority supported by Official Documents. Dr. Murray's View of Indulgences. His Disingenuous Dealing. An Example. The Length of Time for which Indulgences are available. Dishonesty of Roman Catholic Writers. Confession. Flagrant Example of its Abuse. Prohibition of the Free Use of the Scriptures. Fearful Terms in which they are spoken of by Roman Catholic Writers. The Power of the Pope. Attempt of Dr. Doyle to soften it down exposed. Danger of the Doctrine in a country like Ireland. The Interference of Government in the Appointment of Irish Roman Catholic Bishops. Allowed by the Pope, but repudiated by the Roman Catholic Bishops themselves. Prevarication of Dr. Doyle. The Oath taken by Roman Catholic Bishops to the Pope. Its Origin. Canonization of Gregory VII. The Third Canon of the Fourth Council of Lateran. Attempt of Roman Catholics to repudiate it exposed. The Case of John Hus fully considered. The Doctrine of Exclusive Salvation as taught by the Church of Rome. Its Danger. Disingenuous Use of the 18th Article of Religion by Roman Catholic Writers. An Exposition of it. Peril of admitting Roman Catholics to a Share in the Legislature. Pretensions of the Roman Church as stated by Dr. Doyle. Position of Members of the Established Church according to the Roman Theory. Examples of the Overbearing Spirit of the Roman Church. Appeal to the more Moderate Members of that Communion. Estimate of Dr. Doyle.*



EARLY in the following year, 1826, a second Letter to Mr. Butler\* appeared, dedicated to the Bishop of London (Dr. Howley). This was caused mainly by the evidence taken before select Committees of the two Houses of Parliament, appointed in the sessions of 1824 and 1825 to inquire into the state of Ireland,—some idea of the ponderous character of which may be gathered from the fact that a digest of it occupies two moderately thick octavo volumes. In the course of their examination the Irish Roman Catholic Bishops had endeavoured to give such a view of the doctrines and practices of their Church as was both at variance with facts and calculated to excite an undue feeling of sympathy for the cause of Roman Catholic relief. Much credit, therefore, belongs to Dr. Phillpotts for exposing the deception, and tearing away the flimsy veil of sophistry with which they had sought to disguise the deformity of their modern inventions.

Dr. Kelly, the Roman Catholic Archbishop of Tuam, and consequently no mean authority in his Church, had endeavoured to persuade the Committee

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\* "A Supplemental Letter to Charles Butler, Esq., on some Parts of the Evidence given by the Irish Roman Catholic Bishops, particularly by Dr. Doyle, before the Committees of the two Houses of Parliament in the Session of 1825, and also on certain Passages in Dr. Doyle's 'Essay on the Catholic Claims,' by the Rev. Henry Phillpotts, D.D., Rector of Stanhope."



of the House of Commons that the nature and object of prayers addressed to the Blessed Virgin were commonly misunderstood—that she cannot, as was represented, grant favours of herself, but that she may, through her powerful intercession, obtain favours from God for us. The following prayer was then adduced: “Te deprecor ut mea inopia sublevetur, ut per te purgationem peccatorum obtineam;” upon which Dr. Kelly remarked, with more of ingenuity than honesty, that “the use of the word *per* constitutes it a prayer of intercession; that it is through her intercession only that all these favours are sought to be obtained by this prayer.” This was too specious an argument to be allowed to pass, and therefore Dr. Phillpotts replies:—

“Now this, at least, is making the distinction to be very finely drawn, and suspends the whole weight of the honour due to God on a very slender thread. To any one who may chance to use this prayer, without understanding this solitary preposition in Dr. Kelly’s sense, (which is by no means its only or its most obvious sense,) it is then an act of the utmost impiety; it is a transfer to a mere creature of the honour due, by the Word of God, to God only.”

He then quotes extracts from books of devotion in common use among Roman Catholics, to show the extravagant nature of the prayers addressed to the Virgin. Whether they harmonize as completely as could be wished with the explanation of Dr. Kelly may be judged from the following, where she is invoked as “*the great Mediatrix between God and*

*Examples of Blasphemous Prayers.* 121

*man*, obtaining for sinners all they can ask and demand of the Blessed Trinity,"\* (p. 293 ;) and again, "Hail, Mary, Lady and Mistress of the world, *to whom all power has been given both in heaven and earth*," (p. 206.)

After quoting other blasphemous prayers to the Virgin Mary commonly used in England, Dr. Phillpotts continues, and every devout mind must share his honest indignation :—

"I will not wound the feelings of my Protestant readers by producing any more of this disgusting, this polluting trash. But I call on Dr. Kelly, or any other apologist of your Church ; above all, on Dr. Milner, by whose authority these abominations profess to be set forth for the edification of the 'Faithful of the Midland District,' to produce, if he can, some lurking prepossession, as in the former instance—some potent particle, which may rescue those who use them, and especially the Apostolic Vicar, who has sanctioned the use of them, from the charge of direct and most atrocious blasphemy."

Passing from this subject, he goes on to discuss the honour paid to images. Dr. Kelly had wished to make it appear that Roman Catholics attached no importance to them beyond their use in reminding the faithful of circumstances connected with religious duties. But if the Committee of the House of Commons was satisfied with this explanation, the humour

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\* "Devotion to the Sacred Heart of the Blessed Virgin Mary. By R. R. John Milner, Bishop of Castalaba, Vicar Apostolic. Keating and Brown, 1821."

of Dr. Phillpotts is not so indulgent towards the apologetic prelate. Accordingly, he brings forward the case of *miraculous* images,—“images which, as having at some time been the instruments, or media, of supernatural effects, are expected to repeat their prodigies, and are resorted to with much confidence and veneration accordingly.” These wonder-working images are by no means uncommon in Roman Catholic countries, and an edifying volume might be compiled in attestation of the prodigies which they have effected.

The story of the Bambino of Ara Celi—which, having been taken away from its niche to perform the office of Lucina to a lady of quality, arrived at the door of the church in the middle of the night, signifying its preference by a tremendous knocking, and, on being admitted, went straight to its accustomed place, throwing down an intrusive image—is too well known to need repeating. But, perhaps, even this marvellous and pugnacious image is surpassed by the statue of the *Winking Virgin* in the Cathedral of Ancona, in honour of which a pious fraternity was instituted by the Pope, under the name of the “Sons and Daughters of Mary.” Not that this was by any means a solitary instance of miraculous power; for—

“It would be great injustice to the other images of the Virgin Mary in Italy,” says Dr. Phillpotts, “to suppose that they continued idle, while their illustrious sister at Ancona was thus delighting the good people of that city. Far from it: at Rome, at Civita Vecchia, at Macerata, at Ascoli, at Frascati, &c. &c., the Madonnas were everywhere on the alert, and there was an absolute rivalry and emulation in winking among these holy images.”

He then proceeds to quote the official memoirs of miraculous images, of which it is hard to say whether they are most ludicrous or profane. Dr. Phillpotts finds in these stories a congenial field for the exercise of his wit, and if he indulges in pleasantries at the expense of weeping and perspiring images, it certainly is no more than they deserve. The painful part of the whole is that these monstrous legends are no mere vulgar superstition, but are extracted from legal processes instituted in Ecclesiastical Courts, and duly certified as true. No wonder that Dr. Kelly was ashamed of them. We may pardon him for trying to get rid of them, even at the risk of bringing down upon himself the avenging lash of Dr. Phillpotts.

The subject of Indulgences is next brought forward. The Roman Catholic prelates had endeavoured to show that they did not relate to a future state, but (in the words of Dr. Murray, Roman Catholic Archbishop of Dublin) only to "a certain portion of the temporal punishment due to sin." This was, in effect, sinking all idea of purgatory, and reducing the doctrine to the least offensive shape.

"It would be interesting to know," says Dr. Phillpotts, "what that 'certain portion' is; and it would be still more interesting to learn what course the Church of Rome would take with the Archbishop, if, instead of making this convenient insinuation before an assembly of heretics, he should venture to deny categorically, before the world, the power of the Church to grant a full remission of all the temporal punishment of sin in such cases."

He then recounts the unworthy expedients to which

124 *Dr. Murray's Disfingenuous Dealing.*

Dr. Murray, and his brother prelates, scrupled not to resort, in order to soften down the harshness of the doctrine of Indulgences, which, when stated in its bare form, must ever be repulsive to English ears. Their examination before the Committee of the Lords is an example of evasion and disfingenuous dealing, which may speak highly for the acuteness of their intellects, but which will not be lost upon those whose business lies with the Roman controversy. These gentlemen are very ecclesiastical chameleons; first one colour, then another, and, occasionally, all colours at the same time.

One of their many variations of hue must suffice. Dr. Murray had stated, that "Indulgences can be applied to souls in purgatory only by way of suffrage, that is, as a prayer;" and had spoken of this as "our belief," "our doctrine." The attempt to confound "suffrage" with "prayer" is more ingenious, perhaps, than honest; but the expressions, "our belief," "our doctrine," as applied to the statement above, involve, unhappily, something more than a mere exercise of ingenuity.

"If," says Dr. Phillpotts, "they mean merely to express, each in the fulness of episcopal authority, that such is the belief or doctrine of himself individually, it is clear they are cajoling the Committee, whose inquiry is solely directed to the belief and doctrine of their *Church*. If, on the other hand, they mean, as it would be reasonable to suppose, the belief and doctrine of their Church, they affirm what they cannot but know to be utterly unfounded. For they must know perfectly well that the opinion, which they ascribe to

their Church, would be held in abomination by the great majority of Divines who have treated on the subject, and is in direct contradiction to the Papal bulls by which Indulgences are granted."\*

The length of time for which indulgences are available next comes under consideration. Upon this point the Roman Catholic bishops appeared suspiciously ill-informed. The utmost that could be extracted from them was, that no indulgence was recognized "for a period beyond that of seven years." Without stopping to refresh the failing memory of these worthy prelates, by a reference to the authoritative writings of their own Church, Dr. Phillpotts mentions a circumstance which, if it fails of conveying all the edification it is capable of, is yet very apposite to the matter in hand:—

"I have now before me an engraved portrait of the Virgin Mary's foot, taken from her true shoe, recently published in Italy, conferring, by authority of John XXII. and Clement VIII, an Indulgence of three hundred years on all who shall kiss it three times, and recite thereupon three Ave Marias."

Any one in possession of this precious relic might, with the aid of the winking image, feel tolerably easy about purgatory, even though the Irish prelates cannot grant him relief for more than seven years.

The next subject on which Dr. Phillpotts remarks is Confession, as practised in the English and Roman

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\* For the real doctrine of Indulgences, as taught by the Roman Church, see Dr. Phillpotts' first Letter to Mr. Butler, page 106.

Churches; but, as this subject will be fully handled hereafter,\* for the purpose of showing the maturer sentiments of Dr. Phillpotts on this important doctrine, it will not be necessary to enter upon it now, any further than to show the evil use to which it is sometimes turned by Roman priests. In regard to the much-vaunted secrecy of the confessional, it deserves to be known that their practice has not always kept pace with their theory. Dr. Phillpotts cites, on the authority of the historian Du Thou, a flagrant example of this—no less a personage than Pope Sixtus V, who—

“After he had succeeded to the Papal chair, availed himself, in many cases, of the secrets formerly confided to him in the confessional, at a time when his great sanctity had rendered him the most popular confessor in Rome. He kept a register of these matters, and not only brought many persons to justice for crimes which had been so communicated to himself, but he likewise sent for the oldest confessors, and required them to communicate to him whatever crimes had been confessed to them. Several complied, and Leti justifies the proceeding by the necessity of the times.”

The prohibition of the free use of the Scriptures by the Roman Catholics is next considered. Dr. Doyle had taken great credit to himself and his brethren that seven editions of the Bible had been published in Ireland since the invention of printing. It is easy enough to print books, but if they are not allowed to be read when they are printed, it comes to much the same as if they had never been printed at all. And this is how

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\* See first Letter to Mr. Butler, page 108.

the Bible fared in Ireland ; for, by way of reply to this self-glorification of the Roman Catholic prelates, Dr. Phillpotts quotes the fourth rule *De Libris prohibitis*, "approved and confirmed by Pius IV," which provides that whosoever shall presume to read bibles (translated, be it observed, by *Roman Catholic authors*) without the possession of a faculty in writing, shall not be capable of receiving absolution of their sins, unless they have first given up their bibles to the ordinary. If, then, the seven editions had been multiplied to seventy, it would not have made much difference, as long as the Pope remained in such a mind. But this was the restriction of a darker age, it may be thought. We would thankfully admit the plea, had not Pope Leo XII, no later than 1824, in an encyclical letter, described the Holy Scriptures, translated into the vulgar tongue, as "*poisonous pastures*," and declared that "if the sacred Scriptures be everywhere indiscriminately published, more evil than advantage will arise thence, on account of the rashness of men." Terrible as is this language, it is only the reproduction of the blasphemies of bygone days. "Vain is the labour which is spent on Holy Scripture," is the language of Cardinal Hofius, a papal legate at the Council of Trent ; "it is but a creature, and a beggarly element." Another member of the same council declares that it "is only lifeless ink ;" while a writer of eminence shrinks not from calling it "a nose of wax, which allows itself to be pulled this way and that, and to be moulded into any form you please." But fearful as was the language of Leo, it was



endorsed by the Irish prelates, as in duty bound, who averred, "In this sentiment of our head and chief we fully concur." Is it too much, after this, to say, with an eminent living divine,\* "Scripture is to be treated as its Divine Author was by the servants of Caiaphas, and the soldiers of Pilate—first blindfolded, buffeted, and spit upon, and then put to death."

The power of the Pope is next considered, as Dr. Doyle had declared on oath that it was the doctrine of his Church that "the Popes have no right whatever to interfere with the temporal sovereignties or rights of kings or princes." To any one but moderately acquainted with history this assertion must be startling. Great, indeed, must have been Dr. Doyle's effrontery to have ventured upon such a statement in the presence of educated English gentlemen, and greater far must have been his credulity, if he could expect that it should be believed. Rightly enough does Dr. Phillpotts say:—

"There are some positions which it is difficult to refute, without appearing to depart from the respect which an author ought always to feel for the understanding and information of his readers: and if there ever was an instance of this kind, the present may pre-eminently claim to be so regarded."

Without taking advantage, then, of the enlarged term of nine centuries, during which, if Dr. Doyle was to be believed, the Popes had never exercised the power so strangely imputed to them, and supposing that such personages as Innocent III, Gregory VII, and Boniface VIII, had never existed, Dr. Phillpotts limits his

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\* Dr. Wordsworth : Letters to M. Gordon.

inquiry to three centuries, commencing with the Bull *in Cæna Domini*, put forth by Paul III. in 1536, and ending with the excommunication of Buonaparte by Pius VII. in 1809. The result of this investigation it is needless to dwell upon; neither is it pleasant to pause longer than is necessary to contemplate the woe-begone figure of Dr. Doyle, as he strives to shelter himself from the merciless pelting of his adversary's facts.

That the power of the Pope, as far as most European nations are concerned, is at the present time little more than a name, will be readily admitted; but it is no less true that this name, empty as it is, may produce the most terrible results in minds which are debased by crime or enervated by superstition. To such as these the Papacy of the present day is all that it was in the days of Hildebrand; and even though the Holy Father may be a prisoner in the hands of the "eldest son of the Church," he has but to speak the word, and the kings of the earth will come to do him homage. Little of this feeling may survive in Italy, but it burns with a brightness, which centuries of bloodshed have not been able to quench, in many an Irish cabin. Harmless, therefore, as the pretensions of the Pope may be in more enlightened countries, among the Roman Catholic population of Ireland they are full of peril.

"Its truth," says Dr. Phillpotts, "is written in characters of blood in the history of Ireland itself: and be it always remembered, that while the lights and intelligence of other nations have been incalculably progressive, the Irish (the Roman Catholic Irish multitude I mean), continue nearly

what they were in the middle of the seventeenth century, in the days of Ormond and Rinuccini. That multitude could again be stimulated by an ambitious priesthood to defeat the honest efforts of the nobles and the gentry of the land, whose wishes and whose views must always ultimately be for peace—and to re-plunge their country in all the horrors of civil war.”

The next subject referred to is the interference of Government in the appointment of Irish Roman Catholic Bishops. Although the Pope himself had, in the year 1815, given his express and formal assent to a proposal of this description, yet Dr. Doyle had the hardihood to affirm that it would be inconsistent with the discipline of the Roman Catholic Church to admit any interference, direct or indirect, of the Protestant Sovereign of this country in the appointment of Roman Catholic Bishops in Ireland. The prevocation of this prelate is an edifying study to those who may have the curiosity to see what latitude is allowed to Roman Catholic controversialists, when the interest of their Church is at stake. The Committee of both Houses find it impossible to get a straightforward answer from him. He unites all the slipperiness of the eel to the wiliness of the serpent. It is only when he falls into the hands of Dr. Phillpotts that he finds there is no escape, and then the real value of his assertions are seen. All his sophistry avails him not. His most specious arguments crumble into dust at the touch of his remorseless antagonist. He stands forth convicted of a wilful attempt to disguise, if not to pervert, the truth.

The oath taken by Irish Roman Catholic Bishops to

the Pope next comes under consideration.\* Dr. Phillpotts shows that it is of a feudal character, and "had its origin not merely in the feudal times, but in the pretensions of the Pope to be the supreme feudal chief, of whom all temporal princes, even emperors and kings, were feudatories and vassals." It was originally of much smaller dimensions than at present; but if it has developed, the theory of it is still the same—to give to the Pope that dominion over the nations of the earth which has been so arrogantly claimed and so mercilessly used. Pius V, as is well known, was canonized for the vigour which he displayed in the exercise of this power; but Dr. Phillpotts cites—

"A name far more eminent than his, the noted Hildebrand—that Gregory VII. who claimed the universal dominion of the world as an appendage of his See—whose life was one unceasing effort to realize this claim—who was as little turned aside from the prosecution of his holy purpose by considerations of his own safety, as by a regard for the peace and tranquillity of mankind—that Gregory of whom Dr. Doyle himself says, that the unhappy Rodolph (who had been set up by him to fill the Imperial throne, of which he had deprived the lawful owner), when about to pay the forfeit of his crime, 'confessed that, induced thereto by the Pope, he had rebelled against his Sovereign'—that Gregory of whom Dr. Doyle further tells us, on the authority of the chronicler Sigebert, that 'when he found himself near his end, he acknowledged that *he had, at the instigation of the devil, stirred up enmities and strife amongst mankind*, and sent to the Emperor to solicit his forgiveness—that very Gregory of whom the most charitable judgment which can be passed

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\* For the terms of this oath, see Appendix B.

is that he was a crack-brained fanatic—was, in the 18th century, by Benedict XIII. placed among the saints!—a holy service was appointed to his honour—all good Catholics were called upon to bend the knee in adoration to him—and the worship of God Himself was profaned by thanking Him for giving this firebrand to the world, and by *praying* that *his example might still edify* and strengthen the Church.”

Most people will probably think that Dr. Phillpotts has done but scanty justice to the memory of one of the greatest of those whoever wore the triple crown. That Hildebrand lived only to make the Roman Pontiff the sovereign of the world may be true enough; but no one who has watched the inflexible determination with which he followed up his purpose, and the skill with which he disposed of his resources, can fairly call him “a crack-brained fanatic.” Here, then, a pardonable zeal for his cause has carried Dr. Phillpotts too far. The account also which he gives of Hildebrand sending to the Emperor to sue for his forgiveness differs from the commonly-received version, which represents him as absolving and blessing his enemies, with the resolute exceptions of the Emperor and the Anti-Pope.

The next subject considered is the Third Canon of the Fourth Council of Lateran, which enforces on the faithful the duty of exterminating heretics. It was natural enough that, in their present yielding temper, the Roman Catholic prelates should desire to disown the obligation of such a canon, particularly in a country where the probability of its ever being carried

into effect happened to be very remote. But in their excessive desire to please they involved themselves in a serious difficulty. Not content with repudiating the doctrine laid down in the Canon, they threw discredit upon the Canon itself, and asserted roundly that it was not to be found in the Acts of the Council at all. This was taking the bull by the horns with a vengeance. They had calculated, doubtless, upon no one being at the pains to refer to the Acts of the Council, and expose their audacity. In this case all would have been well. But Dr. Phillpotts had had too much experience of the amount of credit due to the statements of these complaisant prelates to trust them over much ; and so, having examined every printed edition of the Council's Acts, he tells them plainly that the repudiated Canon appears *in every one of them*, and that there does not exist the slightest intimation of any doubt as to its being genuine. This announcement must have startled Dr. Doyle and his brethren, if they had hoped to escape detection ; and, if anything was wanting to complete their discomfiture, it was furnished by the masterly way in which Dr. Phillpotts exposed their blunders and mis-statements, weaving together such a chain of condemnatory evidence as it would have been hopeless to attempt to break.

The next matter referred to is the proceeding of the Council of Constance against John Hus, which Dr. Phillpotts rightly stigmatizes as a "cruel and treacherous murder." And indeed it can be fairly called by

no lighter name. The story is well known. Having been charged with holding the doctrines of Wicliffe, Hus was cited, in 1414, to appear before the Council of Constance. Having obtained from the Emperor a safe-conduct to and from that city, he presented himself before the Council.

Vain was it for Dr. Murray to assure the Committee of the Commons that the safe-conduct given to Hus by the Emperor was nothing more than *a travelling passport*, such as is commonly used on the Continent at the present day. The terms of the document forbid any such construction as this ; and the distress of the Emperor Sigismund when he heard of the condemnation of Hus,—a distress which was only appeased by the assurance that the decree of the Council was superior to his own authority,—can only be reconciled on the supposition that he believed that his honour had been forfeited. The attempt also of Dr. Doyle to show that the city of Constance was wholly independent of the Emperor, and that, consequently, he was not answerable for the act of its magistrates in burning Hus, is a miserable piece of shuffling—too pitiful, indeed, to find place anywhere but in a cause that was already desperate. So far from the city being “free,” in any sense, to exclude the authority of the Emperor, Dr. Phillpotts shows, on the authority of Naclerus, a chronicler dear to Dr. Doyle himself, that the circumstance of Constance being fixed upon as the seat of the Council gave great delight to the Emperor, “because it was a city subject to him,” while Pope John

XXIII. was correspondingly depressed at the selection ; as well he might be, if he had the power of predicting that the Council would decree that a General Council was superior to the successor of S. Peter, while it deposed one of the rival Popes, compelled the other to resign, and elected a fresh Pope.

As a further example of the accuracy of Dr. Doyle's assertion it may be remarked that, in the course of a sermon preached before the Council by the Bishop of Lodi, the Emperor was specially invoked to "destroy all heresies and errors ; and, *above all, this obstinate heretic :*" (Hus.) That this might only have been a specimen of somewhat fervid pulpit rhetoric it would be pleasing to believe, were it not for the sequel of the sermon, when we find Hus delivered by the Council to Sigismund, while he in turn hands him over to Louis, Elector of Bavaria, who in due course causes him to be burnt, much to the edification of the faithful, and the terror of all unbelievers. Whether Rome thinks it needful to keep faith with heretics it would be waste of time to inquire, as long as the Acts of the Council of Constance are acknowledged by that Church, otherwise a startling commentary on her practice might be collected from the writings of Hosius, Simanca, and Albert Pighius.

The fate of Hus leads Dr. Phillpotts on naturally to examine the doctrine of exclusive salvation in the Church of Rome. And here he says truly enough :—

"Even the claims of its spiritual head to a right of interference, whether direct or indirect, in the temporal concerns



### 136     *The Doctrine of Exclusive Salvation*

of states (if they were universally acknowledged), would be of far less practical moment, than the doctrine which excludes from salvation all those who dare to separate themselves from the Roman Church."

That this was perceived by the Roman Catholic prelates themselves is plain from their endeavours to soften the obnoxious tenet. But here, at least, their sophistry served them not.

"It stands," says Dr. Phillpotts, "in the very front of their whole system; nay, it makes a part of every other dogma; for all are commended to the acceptance of the faithful under the awful sanction of an anathema if they be rejected."

Dr. Doyle having recriminated on the Church of England, and asserted that she taught the same exclusive doctrine in the 18th Article, an opportunity is afforded to Dr. Phillpotts of vindicating and explaining that Article. After quoting it,\* he proceeds:—

"In other words, those are to be accursed who presume to say that the great work of redemption by Christ was not necessary for the salvation of man; but that men of any religious persuasion, if they live according to the law or sect which they profess, and to mere natural light, shall be saved *thereby*; whereas Holy Scripture tells us that all who shall be saved, of whatever sect or persuasion they may be, will

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\* "Article XVIII. *Of obtaining Salvation only by the Name of Christ*.—They also are to be had accursed that presume to say that every man shall be saved by the law or sect which he professeth, so that he be diligent to frame his life according to that law, and the light of nature. For Holy Scripture doth set out to us only the Name of Jesus Christ, whereby men must be saved."

be saved only by the Name of Jesus Christ—only by reason of Him and His merits. That this is, in one sense, a doctrine of exclusive salvation, I am quite ready to admit; but let us see of what it is exclusive,—it is not of the subjects of salvation, for it absolutely excludes none; but only of means, or authors, of salvation. In short, it does no more nor less than *exclude all other Saviours than our Lord Jesus Christ*. Here then the whole parallel between the Churches of Rome and England, in respect to the dogma of exclusive salvation, as far as our Article is concerned, falls absolutely to nothing.”

Whether members of the Roman Church, while maintaining the doctrine of exclusive salvation, can be safely entrusted with a share of legislative power among a people the majority of whom she regards as out of the pale of salvation, is a question about which no sober man will doubt. The marvel is that the claim should ever have been seriously entertained. As if it were not enough that Rome should have pronounced the English Church to be no true part of the Church of Christ, but abandoned to the guidance of the devil in this world, and to eternal perdition in the next, she must also claim as *a right* to legislate for that Church which she denounces, and for that State of which, if her allegiance to the Pope be more than a name, she is a faithless member.

The pretensions of the Roman Church are thus set forth by Dr. Doyle himself:—

“*It is the worst of heresy, and a virtual apostasy from the Christian religion to assert that the gates of hell have ever*

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\* “Address to Clergy of Carlow, August the 28th, 1825.”

prevailed against this Church—that is, that *the pastors and people who compose it, have ever, at any period, even for a single hour, professed error.* A sentence,” says Dr. Phillpotts, “by which every national Church, every denomination of Christians throughout the world, which differs from Rome in the minutest point of faith, is pronounced to be in a state of the most damnable heresy.”

The members of the English Church, then, in the eyes of Rome, are in evil case ; nor are matters much improved when the specious plea of “invincible ignorance” is set up on their behalf. For, although Baptism cleanses original sin, and all actual sin committed before that holy Sacrament, yet every mortal sin committed after Baptism can only be remitted (according to the Church of Rome) in the sacrament of penance.

“Here then,” says Dr. Phillpotts, “is the amount of the utmost concession which can be made, even to those whose involuntary error, and invincible ignorance keep them out of the pale of the Church of Rome. They will be saved—if they do not commit any actual sin. But if they sin, for *them* there is no remission—the Blood of Christ has been shed in vain—the Gospel of Christ has been preached in vain. If they sin, they have no share in the common blessing promised to Christian sinners. If they sin, they have *not* ‘an Advocate with the Father’—‘Jesus Christ the Righteous is *not* the Propitiation for *their* sins.’ They have fallen from grace given in Baptism, and to them no ‘place of repentance’ is left, though they seek it with tears of anguish, and ‘groans which cannot be uttered.’ Their ‘broken and contrite hearts’—the Church of Rome hath said (and who shall dare to gainsay it?)—‘their broken and contrite hearts, O Lord, Thou *shalt* despise.’ ”

Dr. Phillpotts then proceeds to enumerate certain cases in which Rome delights to display her overbearing spirit, commencing with the admonition of the rubric to parents "not to trust their children to be in any wise suckled or nursed by heretic women," down to the refusal of Christian burial (in countries where it may safely be done) to heretic corpses. But this is not all.

"The same odious spirit," says Dr. Phillpotts, "which makes it a subject of grave precaution that herefy be not suckled in with the nurse's milk, and which violates the decencies of our common nature in refusing the protection even of a secure grave to the bones of a deceased Protestant, has intruded itself into the dearest connections of domestic life, and sought to make the marriage-bed a scene of discord and polemic altercation."

Then follows a rescript of the Pope, published in 1825, "while the Committee of the House of Commons was fondly catching the honeyed dew of peace and brotherly love, as it trickled from the guileless lips of Drs. Doyle, Murray, Kelly, and Magaurin;" which, if obeyed, would have the effect of introducing disorder into every home where the husband or wife chanced to be a Roman Catholic.

With such terrible examples of the intolerance of Rome before our eyes, it is hard to account for the infatuation which could plead for the admission of its children to a seat in the Legislature. Dr. Phillpotts brings the question to its legitimate issue when he says:—

“If these tenets be not essential, let the authority, be it what it may, which can declare what is or is not essential, renounce and disclaim them. If this be not done, no adequate security can be given to any Protestant state against the arrogant pretensions, the rancorous malignity, of their Church itself. If this be not done, let those among them (and there are many such) who cherish the feelings of Christian charity, and respect the rights of other Christians, either emancipate themselves from the bonds of religious tyranny, or candidly acknowledge that it is not the Crown, it is not the Heir to the Crown, it is not the House of Lords, it is not the people of England—it is the Pope, it is the Church of Rome itself, which bars the entrance of the British Senate, and condemns them to a state of mortifying but necessary exclusion.”

Dr. Doyle next receives severe chastisement at the hands of Dr. Phillpotts for the shameless way in which he contradicted himself in relation to Pastorini's prophecies, and the question of Roman Catholic Emancipation. That distinguished prelate makes but a sorry figure, it must be confessed, and it is hard to say whether he most moves our laughter or contempt. His system of scheming, subterfuge, and evasion culminates in the statement, pronounced, it is to be hoped, with gravity suited to its sincerity, that, if ever he took part in political discussions, *it was with great reluctance*. If anything could have awakened the confiding Committee of the House of Commons to a sense of the character and motives of the man with whom they had to deal, it must have been this perilous assertion. That I. K. L.\* should desire to forget his

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\* The initials under which Dr. Doyle wrote—James Kildare and Leighlin.

sedition was reasonable enough ; but that any one should believe that this political firebrand had been dragged an unwilling victim into conflicts which his peaceful soul abhorred, was as unlikely as that they should learn to venerate the lying wonders of his Church.

"Yet this," says Dr. Phillpotts, in conclusion, "is Dr. Doyle ! This is, or lately was, (for these glories are not often very long-lived,) the idol of the liberal party in our English House of Commons ! one whom statesmen have not scrupled to laud in good set sentences as a paragon of talent, and the very mirror of honesty ! In exhibiting him in his real colours, in holding him forth in his own recorded words and sentiments, to the indignation of every man, to whom truth and plain dealing are not empty names, I have performed a duty painful and disgusting to my own feelings ; a duty, by the discharge of which I may perhaps draw down upon myself the ribaldry of Scotch critics, the revilings of Irish orators, the sneers of English liberals, and the half-vented rebukes of the friends of conciliation. Be it so ! From all these censurs I appeal to the unbiassed judgment and honest sympathy of the British people ; and if my cause be as good, as my own conscience tells me it is, to that tribunal I shall not appeal in vain."

## CHAPTER X.

*Roman Catholic Emancipation. Importance of the Question. Reasons for Penal Enactments against Roman Catholics. An Enumeration of them. Their Harshness. Earliest Acts of Concession. How received by the Roman Catholics. The Petition of 1789. Remarks upon it. Mr. Mitford's Motion. Conduct of Mr. Pitt and Mr. Fox. The former favourable to Concession with adequate Security. Conduct of Roman Catholics. Lord Fitz-William. Hopes entertained by them from his Appointment to Lord Lieutenancy of Ireland. Hostility of the King. Recall of Lord Fitz-William. Popular Excitement. The College of Maynooth founded. The Union of Ireland with Great Britain. An Expectation that further Concessions would be granted to the Roman Catholics. Attitude of the King. Dissolution of Mr. Pitt's Ministry. Ministers charged with having caused the King's Affliction. Mr. Pitt's Promise. Lord Grenville espouses the Cause of Roman Catholic Relief. The Opinion of the Country against it. Mr. Grattan. A further Grant to Maynooth. Mr. Grattan's Motion. The National Representative Assembly in Dublin suppressed by Government. Another Motion by Mr. Grattan. Hopes of the Roman Catholics. Accession of Mr. Canning and Lord Wellesley to their Party. A Motion for the early Consideration of their Claims carried. The Debate of the 25th of February, 1813. The Proposed Concessions ill received by the Roman Catholics. Letter of the Roman Catholic Prelates assembled in Dublin. Passing of the Duke of Norfolk's Bill. Violence of the Roman Catholic Board in Ireland. Mr. O'Connell. Motions in Parliament. Excited State of Ireland. Sir Robert Inglis on the Danger of further Concessions to the Roman Catholics. Further Motions in Parliament. Supported by Lord Castlereagh, and opposed by Mr. Peel. Earl Grey's Bill to relieve Roman Catholics from taking the Declaratory Oaths. Death of Mr. Grattan. Irreparable Loss to the Roman Catholic Party.*

*Bill for Roman Catholic Relief carried in the House of Commons. Thrown out in House of Lords. Outrages and Famine in Ireland. Mr. Canning's Bill for Concession carried in the House of Commons, but rejected by the Lords. Continuation of Disturbances in Ireland. Further Motions in Parliament. The Roman Catholic Association in Ireland referred to in the King's Speech. Mr. Goulburn's Bill for its Suppression. Mr. Brougham's Defence of it. The Motion carried, and the Bill passed by both Houses. Further Motions in Parliament. The Declaration of the Duke of York against the Roman Catholics. Opinion of Lord Eldon. Strong Feeling in the Country against further Concession. Sir F. Burdett's Motion in 1827.*



R. PHILLPOTTS had now fairly embarked in the Roman Catholic question; and it was in February of the next year, 1827, that he published the first of his celebrated Letters to Mr. Canning on the proposed measure of relief. But, before considering the part which he played in a contest the most important of any that have agitated the country since the Revolution, it will be well to take a general survey of the political condition of the Roman Catholics, and examine the various efforts made on their behalf, terminating in the Relief Bill of 1829. If it be pleaded that such a survey forms no part of the *Life* of Dr. Phillpotts, it must be remembered that this work is also a history of his *Times*, and that no such work would be complete without giving something like a comprehensive view of this momentous struggle.\* The various stages of the measure are so little known to the majority of Englishmen, that,

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\* A similar mode of treatment will be adopted further on, in reference to the "Oxford Movement."



even at the risk of a certain tediousness inseparable from an examination of details, it is believed that a service will be rendered by showing how the question of Roman Catholic relief struggled on from small beginnings till it assumed the proportions of one of the most gigantic evils which it was ever the lot of the country to confront.

And here it may be said, generally, that in every reign, except that of James II, some fresh severity had been enacted against the Roman Catholics. A thoughtful writer supplies us with reasons for these acts of legislation :—

“ The statutes against Popery in England and Ireland were the restrictions, not of a religious faith, but of a political faction, enacted not against dissidents from the Church of England, but against rebellious partisans of the House of Stuart. The question was one, not of the Liturgy, but of the sword. The Stuarts lost the day. They were exiled; and the soldiers whom they left behind were disabled by the provisions of law from again stirring up rebellion, and again shedding the blood of freemen in the cause of tyrants and slaves.”\*

So numerous were these statutes that no less than seventy pages are occupied in Burn's *Ecclesiastical Law* with an enumeration of them.

Popish priests who should officiate in Romish churches or chapels were declared guilty of felony, if foreigners, and of high treason, if natives. Rewards were payable on the discovery of popish clergy—50*l.* for discover-

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\* Croly : “ Life of George IV,” p. 476.

ing a bishop, 20*l.* for a priest, and 10*l.* for a popish-usher. No Protestant was allowed to marry a Papist. No Papist could purchase land, or take a lease for more than thirty-one years; and if the profits of the land so leased amounted to more than a certain sum, the property was to pass to the first Protestant discoverer. No Papist could be in a line of entail, but the estate was to pass on to the next Protestant relation. No Papist could hold any office, civil or military, or dwell in certain specified towns, or vote at elections. The wives of Papists were to have an increase of their jointure on conversion. Two justices were empowered to compel any Papist, above eighteen years of age, to discover every particular which had come to his knowledge respecting popish priests, celebration of Mass, or popish schools, under penalty of imprisonment for a year if he refused. Nobody was allowed to hold property in trust for a Roman Catholic. In every case growing out of the penal statutes the juries were to be exclusively Protestant. Papists in towns were to provide Protestant watchmen, and were incapacitated from voting at vestries. They were also incapable of being called to the bar, and barristers or solicitors marrying Papists were considered Papists, and were liable to all the consequent penalties. Persons robbed by privateers during war with a popish prince were indemnified by money levied upon Roman Catholics only. Any priest found guilty of celebrating a marriage between a Protestant and a Roman Catholic was to be hanged.

Such is an outline of the penal code to which a portion of our fellow-subjects was liable. But, necessary as these enactments may have been, they were certainly hardships and disqualifications which nothing but the most imperious necessity could justify. They were devised to meet a pressing evil; and, as that evil passed away, moderate men began to feel that they might be relaxed without danger to the State. It is true that many of these Acts had for a long time remained a dead letter; but they were still to be found in the statute book, and might be enforced, even at the risk of sowing the seeds of family discord, and loosening the very frame-work of society itself.

Among the earliest Acts of legislative concession may be ranked that of 1778, when a bill for relieving Roman Catholics from the operation of many severe statutes was introduced, and passed with little opposition. But where a little is yielded, it is invariably made a stepping-stone for further demands. This was specially the case with the Roman Catholics; and, in the year 1781, an eminent member of that body made no scruple to say\* that "the boasted excellencies of the British Constitution are nothing to me, who am deprived of the common rights of humanity; they only serve to make my condition more irksome, and to create a restless desire of change and revolutions."

In May, 1789, the English Catholic *Dissenters* (for

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\* In a pamphlet entitled, "The State and Behaviour of English Catholics from the Reformation to the Year 1781."

that was the somewhat doubtful title under which they now figured) presented a petition to the House of Commons, praying to be relieved from the disabilities under which they laboured. The petition was drawn up with great care and ingenuity. They acknowledged no infallibility in the Pope, and affected to pay no great reverence to the decrees of councils. King George was their sole lord and master, and no Pope or council could depose him. It was altogether such a document as would drive the Wisemans and MacHales of the present day to frenzy, and is not without its instruction, as showing the elasticity of the Roman system, in spite of its vaunted unchangeableness, and how well that Church knows how to relax or tighten its pretensions according to the temper of the times. This petition was received with considerable favour; and, early in the session of 1791, Mr. Mitford (afterwards Lord Redesdale) moved for leave to bring in a bill "to relieve, upon condition, and under certain restrictions, persons called Protestant Catholic Dissenters from certain penalties and disabilities to which papists, or persons professing the popish religion, are by law subject." In the course of an able speech he commented with great severity on the existing laws against Roman Catholics, and after enumerating the various oaths of supremacy which had from time to time been devised, he stated that the relief which he should propose for the protesting Roman Catholics would be a bill similar to that which had passed in Ireland for the relief of the Roman Catholics some years since; and,

as no ill consequences had been found to result from it in a country where the Roman Catholics were so much more numerous, he trusted that the House would see no impropriety in the proposition. The motion *was supported by Mr. Pitt*, who expressed a hope that the House would be unanimous in receiving the bill. He was followed by Mr. Fox, who thought, however, that the measure was too narrow in its views. He wished to go much further, and establish complete toleration. The bill was eventually carried through the House of Commons without a division. On the second reading in the House of Lords a debate ensued upon the propriety of several clauses. The Archbishop of Canterbury, and the Bishops of S. David's, Peterborough, and Salisbury, gave the bill their support, and it was passed on the 4th of June, a slight variation having been made in the form of the oath.

And now that the Roman Catholics were relieved from the severity of penal statutes, it was determined that an effort should be made to free them from *political* disabilities as well. The attempt originated in Ireland in the early part of 1795, where assemblies of the most influential of the Roman Catholics were held, in which it was determined to address the Throne for a remission of political disqualifications, and a full participation in the rights of their fellow-subjects. It was well known that the Prime Minister, Mr. Pitt, was favourable to their demands, provided that sufficient securities could be given; but it was also known that the King was most determinately hostile, and it was

not thought that in the face of the Irish legislature, composed entirely of Protestants, any material concessions would be granted.\* Ultimately, however, the existing laws were so far relaxed as to permit Roman Catholics to intermarry with Protestants, to take apprentices, to keep schools, and to plead at the bar, together with some lesser privileges hitherto withheld from them.

But, important as these relaxations were, they were received with little favour. The Roman Catholics had tasted enough of the sweets of liberty to make them long for more. The study of human nature proves the truth of the French proverb, *L'appétit vient en mangeant*; and nothing would now satisfy them but a deliverance from disqualifications of *every kind*. It was at this juncture that Lord Fitz-William was appointed Lord-Lieutenant of Ireland. From his well-known inclination to moderate counsels, and the favourable disposition of the government which had appointed him, large concessions were not unreasonably expected. It was believed that he was specially charged to carry over to Ireland a final deliverance from disqualifications of all kinds on religious grounds. The Roman Catholics saw, therefore, that this was the time to press their advantage, and Mr. Grattan was

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\* The unconquerable nature of the King's scruples is forcibly described in his well-known speech:—"I can give up my crown, and retire from power; I can quit my palace, and live in a cottage; I can lay my head on a block, and lose my life: but I can *not* break my oath."

put forward to advocate their claims. A Relief Bill was already in course of preparation, when the Government, finding that the King would never give his consent to it, took alarm, and declared its hostility to the measure. Lord Fitz-William, who, it must be confessed, had shown but little tact in so easily allowing himself to become the tool of the Irish party, was recalled, and Lord Camden was appointed as his successor. This led to the most serious manifestations of displeasure both in the Irish Parliament and out of doors. One party was for impeaching Mr. Pitt, while the more excitable vented their indignation in tumultuous meetings, which were only dispersed by the soldiery. Meanwhile, however, a concession of another and more perilous kind was granted to the Irish Roman Catholics. Up to this time the ranks of the priesthood had been recruited from foreign colleges; but the French Revolution had swept most of these seminaries away. The Roman Catholics were now in an evil case, and if Government had not speedily come to their assistance, their Church in Ireland must have expired from inanition. This was, therefore, thought to be a favourable moment for founding an institution in Ireland for the training of Roman Catholic youths for the priesthood, and thus prevent their forming foreign connections, involving themselves in foreign relations, and bringing home to their own country foreign affections. Eight thousand pounds were, accordingly, granted from the public money, in the year 1795, and the college of Maynooth was founded—an establish-

ment which from that day to the present has furnished a ceaseless ground of irritation and debate. The grant was made, beyond question, in a liberal and conciliatory spirit ; but experience has shown that the college has proved an entire and hopeless failure.

And now the projected union of Ireland with Great Britain shared for a while the thoughts and occupied the energies of politicians of every grade, jointly with the measure for Roman Catholic Relief. It was believed that, when the Act of Union passed, in July, 1800, immediate steps would be taken by Government to release the Roman Catholics from their remaining disabilities. As long as the two kingdoms had distinct legislatures, it was impossible to open the avenues of Parliament and public offices to Roman Catholics in Ireland, since they outnumbered the Protestant population in the ratio of three to one. Such a measure would have had the inevitable effect of establishing a Roman Catholic Government and Church in Ireland. But when one common legislature was established for both countries, it was not thought that the admission of a very small and uninfluential minority of Roman Catholics into Parliament would exercise any improper influence on the councils of the nation. Many, therefore, of the leading Tory statesmen were favourable to their admission, Mr. Pitt among the number ; but the determined opposition of the King rendered any such step for the present impossible. He was absolutely inflexible, and was, moreover, fully persuaded that any further relaxation



would involve a violation of his coronation oath. He was supported in his determination by the opinion of the Chancellor Loughborough, who was, it is to be feared, merely humouring the King's prejudices for his own private ends; and the consequence was that the King refused to have the subject mentioned in his presence any more. This led to a coldness between the King and Mr. Pitt; and it was not long before the administration of the latter, which had been carried on with unparalleled benefit to the country for seventeen years, came to an end. To increase the pain and perplexity which were felt on all sides at this eventful time, the ministers were charged with having caused that calamitous affliction under which the King laboured. So acutely did Mr. Pitt feel the imputation, little as he deserved it, that, on the King's restoration to health, he promised that he would not again bring forward the Roman Catholic question during his Majesty's lifetime.

For the present, then, further concession was not to be thought of. But its advocates, though repulsed, were not daunted, and, like skilful generals, gathered up their forces for a fresh attack. Lord Grenville had espoused the cause of Roman Catholic relief with great warmth, and on the 10th of May, 1805, moved the order of the day in the House of Lords to take into consideration the petition of the Roman Catholics in Ireland, presented on the 25th of March, and, in a speech of great power, advocated the removal of existing disabilities. Special importance attaches to the de-

bate which followed, as it was the *first time* that the question had been brought forward *since the Union*. The Lords debated, until four o'clock in the morning, whether or not the petition should be referred to a committee, and then adjourned until Monday the 13th, when, after sitting till six o'clock on the following morning, they rejected the motion by 178 to 49. Mr. Fox's motion in the Commons, on the presentation of a duplicate petition, met with a similar fate on the following day, being rejected by a majority of 336 to 124. The voice of the country was plainly against making any change in the Constitution at a time when the whole of Europe was convulsed, and many who were otherwise favourable to the measure gave their vote against it. The debate in the Commons was chiefly remarkable for giving occasion to the *début* of a new member, Henry Grattan, who had with difficulty been persuaded to sit in Parliament, and had, through Lord Fitz-William's interest, been returned as member for Malton. His speech, which lasted for an hour and a-half, elicited marks of very warm approval even from Mr. Pitt, and placed him at once in the front rank of parliamentary debaters. From this moment to the end of his brilliant career he was the most zealous champion of Emancipation; and, although not permitted to see his labours crowned with success, it was to his untiring energy that the ultimate passing of the measure was chiefly due.

The year 1807 was marked by the grant of an additional sum of 5000*l.* to the college of Maynooth.

Petitions continued to be presented to both Houses of Parliament; and, on the 13th of May, 1810, Mr. Grattan brought forward a motion in the House of Commons for a committee to consider the Roman Catholic claims. Seldom had the walls of S. Stephen's echoed with such fervid eloquence. But though this memorable speech led captive the judgment of even sober men, and gave to the opponents of the measure a temporary check; yet, the magnitude of the danger attending further concession speedily re-asserted its power, and, after an adjourned debate, the motion was lost by a majority of 104. On the 6th of June a motion to the same effect was made in the House of Peers by the Earl of Donoughmore, which was lost by a majority of eighty-six, the Lord Chancellor Eldon having been its chief opponent.

Early in the following year (1811) the Roman Catholics again occupied a large share of the attention of Parliament—the first of the Regency. Political agitators in Ireland had conceived the plan of a National Representative Assembly, which was to hold its sittings in Dublin, and, under pretence of petitioning Parliament, levy money, and take into its hands the general protection and management of Roman Catholic interests. The danger of such a proceeding was too great to allow of delay, and the Irish Government promptly checked the project by sending a circular letter to the sheriffs and chief magistrates of all the counties in Ireland, directing them to arrest, under the Convention Act, all persons who might in

any way be concerned in promoting such an assembly. The remedy was sharp, but decisive, and led to an animated debate in the English Parliament, Mr. Wellesley Pole, Secretary to the Lord-Lieutenant of Ireland, appearing in his place in the House of Commons to give an account of his conduct ; but there were no results, beyond a display of irritated feelings. It was of this benefit, however, to the Roman Catholics, that it kept their claims fresh before men's minds, and helped to increase the growing conviction that further concessions were inevitable. On the 31st of May, in the same year, Mr. Grattan repeated his motion in the House of Commons on behalf of the Roman Catholics, and this time with somewhat better success, for the majority against the motion had now decreased to sixty-three. On the 18th of June a similar motion was also made in the House of Lords by the Earl of Donoughmore. The debate was chiefly remarkable for a speech by the Bishop of Norwich, Dr. Bathurst, in favour of the Roman Catholic claims ; the motion, however, was lost by a majority of fifty-nine, being twenty-seven less than upon the former occasion. In proportion as the majorities against these annual motions decreased, so did the hopes of the Roman Catholics rise. They felt that the contest might be prolonged, but that victory was secure ; and thus, while noisy agitators were doing their work out of doors, Parliament was inundated with petitions from all quarters, not a few of them coming from Protestant sources. On the 21st of April, 1812, Lord Donoughmore renewed his mo-

tion, and, in the long debate which followed, every argument which had been previously used was again brought forward, decked out with the choicest ornaments of oratory. It was a subject the charm of which seemed to make speakers insensible to weariness. But the hopes of the Roman Catholics were not as yet to be realized, for the government at this time was essentially a "no-popery" administration, and the motion was lost by a majority of seventy-two. A similar motion was made by Mr. Grattan in the House of Commons on April the 23rd, and was lost by a majority of eighty-five. The *third* memorable defeat which the Roman Catholic claims, so pertinaciously urged, had suffered in Parliament. Undaunted by these failures, and confident that the fears of their opponents would one day grant what their better judgment withheld, the favourers of the measure rose, Antæus-like, from their overthrow, and next time with Mr. Canning and Lord Wellesley at their head.

On the 22nd of June, 1812, Mr. Canning moved a resolution, pledging the House to an early consideration, in the next session, of the Roman Catholic claims, with a view to their final and conciliatory adjustment. In the debate which followed, *the motion was carried* by the decisive majority of 235 to 106. In the House of Lords, the stronghold of the Anti-Catholic party, the majority against the motion was only *one*. Seldom has any division shown such an extraordinary balance of opinion in that House. The Ministers were not agreed among themselves, for it had been understood

for some years that this should be left an open question. The Bench of Bishops itself was divided; and of the five Royal Dukes three voted on one side and two on the other.

And now the Roman Catholics had good reason to congratulate themselves upon the improved aspect of their fortunes, and to predict the hour of victory. But seventeen years of restless agitation were to intervene.

On February 25, 1813, Mr. Grattan, emboldened by the success of the previous year, renewed his annual motion for a committee on the claims of the Roman Catholics. The *debate which followed continued during four days*, so exhaustless did the subject promise to be; and some idea of its prolixity may be formed from the fact that its printed report is the size of an ordinary volume. At its close there was a majority of forty in favour of the motion; a great falling off as compared with the majority of the preceding year, and attributable to the reactionary alarm which had set in throughout the country at the magnitude of Roman Catholic pretensions.

In order to occupy the ground which had already been gained by Mr. Canning, Mr. Grattan, on March the 9th, moved the order of the day for a committee of the whole House on the Roman Catholic question. He then proposed a resolution that it is highly advisable to provide for the removal of the civil and military disqualifications under which his Majesty's Roman Catholic subjects labour, with such exceptions, and under such regulations, as should be found neces-

fary. On a division of the House there was a majority of sixty-seven in favour of the motion.

On April the 30th Mr. Grattan introduced his bill, and moved that it should be read a first time and printed, which was agreed to. On May the 13th the bill was read a second time, after a stout opposition. It was considered in committee on May the 24th, and after a powerful speech against the measure by the Speaker, the Right Honourable Charles Abbott, it was rejected by a narrow majority of four. But the hopes of the Roman Catholics had now risen so high that even the measure of concession which was proposed altogether failed to excite their gratitude, or indeed to meet their approval. This is clearly shown from the following letter of the Roman Catholic Prelates, assembled in Dublin, to the Clergy and Laity of the Roman Catholic Churches in Ireland:—

“ Reverend Brothers—Beloved Children—Peace be with you. Solicitude for the spiritual interest of our beloved flocks, obliges us once more to suspend the exercise of our other pastoral duties, in order to deliberate, in common, upon the present posture of our religious concerns.

“ We hasten to declare to you the lively feelings of gratitude excited in our breasts by the gracious condescension of the Legislature, in taking into its favourable consideration the disabilities which still affect the Catholic body. With these feelings deeply and indelibly impressed upon our hearts, it is with the utmost distress of mind that we are compelled, by a sense of duty, to dissent (in some points connected with our emancipation) from the opinions of those virtuous and enlightened statesmen, who have so long and so ably advocated the cause of Catholic freedom.

“Probably from a want of sufficient information, but unquestionably from the most upright motives, they have proposed to the Legislature the adoption of certain arrangements respecting our Ecclesiastical discipline, and particularly respecting the exercise of episcopal functions, to which it would be impossible for us to assent, without incurring the guilt of schism, inasmuch as they might, if carried into effect, invade the spiritual jurisdiction of our Supreme Pastor, and alter an important point of our discipline, for which alteration his concurrence would, upon Catholic principles, be indispensably necessary.

“When the quarter is considered from whence the clauses have proceeded, it might perhaps be imagined, were we to continue silent, that they had our unqualified approbation. On this account we deem it a duty which we owe to you, to our country, and to God, to declare, in the most public manner, ‘that they have not, and that in their present shape they never can have, our concurrence.’ As, however, we have, upon all occasions, inculcated the duty of loyalty to our most gracious Sovereign, (the securing whereof is the professed object of the proposed ecclesiastical arrangements,) so we would be always desirous to give you the most convincing proofs that we are ready, in the most exemplary manner, to practise it ourselves. We have sworn to preserve inviolate the allegiance which every subject owes to his Sovereign—we are not accused of having violated our oaths.

“Should any other oath, not adverse to our religious principles, be yet devised, which could remove even the unfounded apprehensions of any part of our countrymen, we would willingly take it. We owe it to our God to be free from disloyalty. We owe it to our countrymen to endeavour, at least, to be free from suspicion.

“Upon these grounds, Reverend Brothers, Beloved Children, we announce to you the following resolutions, which, after invoking the light and assistance of God, we have unanimously adopted, viz :—



160 *Resolutions of the assembled Prelates.*

“ 1. That having seriously examined a copy of the Bill, lately brought into Parliament, purporting to provide for the removal of the civil and military disqualifications under which his Majesty's Roman Catholic subjects labour, we feel ourselves bound to declare that certain ecclesiastical clauses or securities therein contained are utterly incompatible with the discipline of the Roman Church, and with the free exercise of our religion.

“ 2. That we cannot, without incurring the heavy guilt of schism, accede to such regulations; nor can we dissemble our dismay and consternation at the consequences which such regulations, if enforced, must necessarily produce.

“ 3. That we would, with the utmost willingness, swear, (should the Legislature require us to do so,) that we never will concur in the appointment or consecration of any Bishop, whom we do not conscientiously believe to be of unimpeachable loyalty and peaceable conduct; and further, ‘that we have not, and that we will not have, any correspondence or communication with the Chief Pastor of our Church, or with any person authorized to act in his name for the purpose of overthrowing or disturbing the Protestant Government, or the Protestant Church of Great Britain and Ireland, or the Protestant Church of Scotland, as by law established.’ Reverend Brothers, Beloved Children, the Grace of our Lord Jesus Christ, and the Communion of the Holy Ghost be with you all, Amen.

“ *Dublin, May 26, 1813.*”

*(Here follow the Signatures.)*

In spite, however, of the rejection of Mr. Grattan's motion, the session of this year did not pass away without a considerably increased measure of relief being granted to the Roman Catholics. A bill was brought forward in the Lords by the Duke of Norfolk, and subsequently passed into law, which provided that

Roman Catholics holding any civil or military office granted to them in Ireland under the Act 33, George III, c. 21, who should have taken the oaths prescribed, should not be liable in England, in the navy, or in Jersey and Guernsey, to any of the penalties of 25 Charles II, c. 2, or to any penalties for not taking tests; and that any Roman Catholic having taken those oaths, and having received in Ireland a commission in the army, should not, on receiving a higher commission in Great Britain, be liable to any of the said penalties.

In the following year, 1814, the proceedings of the Roman Catholic board in Ireland were so violent and menacing, that the Lord-Lieutenant, with the advice of the Privy Council, issued a proclamation, declaring it contrary to law. This led to a monster meeting of Roman Catholics in Dublin, under the presidency of the Hon. Thomas Ffrench, at which Mr. O'Connell distinguished himself by more than his usual fluency of invective. For a time the violence displayed by political agitators in Ireland occasioned serious injury to the cause of Roman Catholic relief, and promised to retard for many years the fulfilment of hopes so fondly cherished and so warmly urged. Once more, therefore, it was determined to have recourse to more constitutional measures, and on May 11, 1815, a petition was presented to the House of Commons by Sir Henry Parnell, on behalf of the Roman Catholics of Ireland, praying it "to grant to them the redress of the oppressive grievances of which they so justly complain; and to restore to them the

full and unrestricted enjoyment of the rank of free subjects of the empire."

On the 30th of the same month a long debate ensued, in which all the former ground was traversed afresh by the various speakers, and in which Mr. Grattan shone with even more than his wonted brilliance. The motion, however, was lost by a majority of eighty-one; and a similar motion made by Lord Donoughmore in the House of Lords, on June the 8th, was rejected by a majority of twenty-six.

Meanwhile the agitation in Ireland continued unabated, and this, combined with a confederacy in crime which manifested itself in a systematic opposition to all laws and municipal institutions, sufficed to keep the country in a state of the greatest uneasiness and alarm. The danger of further concessions to the Roman Catholics is well shown in a letter written about this period by Mr. (afterwards Sir Robert Harry) Inglis to Lord Sidmouth.

"Nothing," he says, "that I have yet seen or heard in Ireland has weakened my conviction that it is necessary to stop short of any further concession of political power to the Roman Catholic body. If we could be morally certain that unconditional submission to their present demands would ensure to us the permanent peace and union of all classes, we might, perhaps, admit the anomalies of the measure; but every new concession has furnished only the disposition and the means to extort more. 'Ask where's the North, at York it's on the Tweed;' and the North will thus recede from us 'till all be theirs beneath the Arctic sky.' Catholic emancipation will be followed by the abolition of the tithes, the erection of a Roman Catholic establishment, or the

separation of the two countries as successive objects of popular excitement; and O'Connell and O'Gorman, who, we are told, would completely lose their consequence by the success of their own present efforts, would quickly find in any one or all of these, or some other of the 'thirty thousand grievances,' some most animating substitute for the war-cry which they now raise."

The Parliamentary transactions of 1816, in reference to the Roman Catholic claims, were opened, on April the 26th, by a petition being presented to the House of Commons by Sir Henry Parnell, and the efforts were continued to the close of the session. On the 15th and 21st of May petitions were also presented; and upon the last occasion Mr. Grattan moved that the House should take into its consideration the state of the laws affecting Roman Catholics, with a view to a final and conciliatory adjustment. It deserves to be recorded that upon this occasion the motion was supported by Lord Castlereagh, and opposed by Mr. Peel, Secretary for Ireland. It was lost by a majority of thirty-one. On the 30th of May the question was revived by Sir Henry Parnell, and again also on the 6th of June—so determined were the Roman Catholics to force their claims upon the nation. In the House of Lords the subject of Roman Catholic relief was taken into consideration on June the 21st—the chief feature of the debate being the speech of the "liberal" Bishop of Norwich (Dr. Bathurst) in favour of the motion. It was rejected, however, by a majority of four. And here it may not be out of place to notice the fact that this great question, involving a change in the constitution of the

country, was scarcely ever brought forward till near the close of the session, when, according to the very advocates of relief, it was too late to take any steps in the matter. The question was again revived May the 9th, 1817, by Mr. Grattan unsuccessfully moving the adoption of the resolution of 1813. It was rejected by a majority of twenty-four; and on May the 16th a similar motion was negatived in the House of Lords by a majority of fifty-two.

The year 1818 was signalised by a respite from Parliamentary debates on this interminable subject; but on May the 3rd, 1819, Mr. Grattan again pressed it on the attention of the House of Commons, and in a very full House there was a narrow majority of two against his motion. In the House of Lords, on May the 17th, a similar motion was rejected by a majority of forty-one.

On the 25th of the same month Earl Grey introduced a bill to relieve Roman Catholics from taking the declaratory oaths against Transubstantiation and the Invocation of Saints.\* The bill was read a first time, but on the second reading (June the 10th) there was a majority against it of fifty-nine.

But before the Roman Catholic cause could again be brought before Parliament, its chief support was no more. Mr. Grattan had, indeed, come to London to attend the session of Parliament; but his health was broken, and he never again raised his voice in public

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\* For an account of this, see "Letter to Earl Grey," page 28.

in defence of that question which had engrossed the best of his time and talents. His last thoughts, however, were given to his darling scheme, and his dying words were those of warning to the Roman Catholics, entreating them to abstain from endeavouring to turn the dissensions of the times to their own profit, but quietly to wait for the victory which was sure to come. His loss in the House of Commons was irreparable. The rival of Pitt, Fox, and Sheridan, with a force of eloquence and a power of illustration which were all his own, upon whom should his mantle fall?

In the early part of the session of 1821 the claims of the Roman Catholics were again brought before both Houses of Parliament. On February the 28th, Mr. Plunkett moved in the Commons that a Committee of the whole House should consider the existing laws as affecting the Roman Catholics, and inquire whether it would be expedient to alter or modify them. The opposition was led upon this occasion by Mr. Peel, whose hostility to further concession was most energetic; but the motion was carried by a majority of six, in a very full House. Leave was then given to bring in a bill. This was done on the 7th of March, and the second reading was fixed for the 16th of the same month. Among those who spoke in favour of the measure were Mr. Wilberforce, Sir James Macintosh, and Mr. Canning. Upon a division there was a majority of eleven for the second reading of the bill; and on the 2nd of April, on the question being put for the third reading, it was carried by a majority

166 *Relief Bill thrown out in House of Lords.*

of nineteen. Thus, then, the efforts of the Roman Catholics were crowned with partial success.

The bill was carried up to the House of Lords on the 3rd of April, and was read a first time without any debate. Meanwhile numerous petitions were presented against it ; and it is worthy of remark, as evidencing the spirit of aggression which had at this time taken possession of the Roman Catholics, that they themselves were among the number of these petitioners, expressing very strong disapprobation at the proposed regulations which were intended as securities ; so quickly had the spirit of the encyclical letter of the Irish Bishops, already quoted, leavened the entire community.

The second reading was fixed for the 16th of the same month, when, after a long and wearisome debate, the motion was negatived by a majority of thirty-nine. Upon this occasion, as on all others, Lord Eldon showed himself an inflexible opponent of the measure, and the Duke of York expressed sentiments, which, as coming from the heir-presumptive to the Crown, could not fail to exercise a depressing influence upon the hopes of the Roman Catholic party. Lord Liverpool, also, continued his opposition, declaring that there were not three lines in the bill to which he could agree.

The year 1822 was signalised by riotous proceedings of a more than ordinary atrocious character, and by a famine, in Ireland. This, however, did not at all prevent a renewal of the discussion of Roman Catholic claims, though they were not urged this year

under the comprehensive form of Catholic Emancipation. Mr. Canning had now taken Mr. Grattan's place as the advocate of entire concession ; but for the present he contented himself with moving, on the 30th of April, for leave to bring in a bill to relieve Roman Catholic Peers from the disabilities imposed on them by the Act of 30th Charles II, with regard to the right of sitting and voting in the House of Lords. This was a skilful way of introducing the thin end of the wedge, and the hopes of the Roman Catholics not a little revived when the motion was carried by a majority of five. The second reading of the bill took place on the 10th of May, when Mr. Peel continued his opposition with unabated force and eloquence, but without effect, for it was carried by a majority of twelve, and no discussion or division took place on the third reading. But, yielding as the Commons had now become, the Peers were not insensible of the impending danger ; the bill was thrown out in the House of Lords, on its second reading, by a majority of forty-two.

Disturbances and outrages continued in Ireland during the year 1823, and the state of that country had now become a source of ceaseless disquiet to English legislators. It was the one problem which seemed capable of no solution. So serious was the aspect of affairs, that many of the more moderate of the Roman Catholics were for postponing all further consideration of their claims ; but the voices of the violent party prevailed, as they mostly do prevail in troublous times,



and the subject was again brought before the House of Commons on the 17th of April. It was upon this occasion that Sir Francis Burdett declared his intention of withdrawing from all further consideration of the question, stigmatising the annual motion as a farce. A violent discussion then took place, in consequence of the alleged defection of Mr. Canning from the cause. That right honourable gentleman defended himself with great warmth, and the debate assumed all the appearance of a personal quarrel. Nothing resulted beyond this display of bitterness, and the question was allowed to drop. Other motions were made during the session, varying the nature of the Roman Catholic claims, and calculated to bewilder their opponents from their very variety ; but no measure was passed.

The state of Ireland had greatly improved as the spring of 1824 advanced, and it was felt that the opportunity was favourable for renewing the consideration of Roman Catholic relief. Two bills were introduced into the House of Peers by Lord Lansdowne for abolishing some of the disabilities of the English Roman Catholics. One bill conferred on them the elective franchise, and the other admitted them to act as magistrates, and hold certain subordinate offices, particularly in the revenue. Both bills, however, were rejected.

The Association in Ireland already referred to,\* which levied money under colour of protecting Roman

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\* See page 154.

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*Roman Catholic Association in Ireland.* 169

Catholic interests, was now felt to be an insufferable evil, and to be totally opposed to the spirit of the Constitution. The King's speech at the opening of Parliament, on the 3rd of February, 1825, referred to its illegal proceedings, and called upon the Houses to consider the means of applying a remedy. On the 10th of the same month Mr. Goulburn moved for leave to bring in a bill to amend the Acts relating to unlawful societies in Ireland. The debate which followed was keen and fierce, and lasted over four nights. The motion was carried by a decisive majority of 155. Meanwhile, the Roman Catholics began to feel that they had gone too far, that the patience of the nation was well-nigh exhausted, and that they ran the most imminent risk of seeing the hopes of years altogether extinguished. On the 17th of February, therefore, Mr. Brougham appeared in the House of Commons as their advocate, and presented a petition setting forth their grievances in language the most specious, and praying that the House would adopt no measure against the Catholic Association, or against any portion of the Catholic people of Ireland, without first affording to the petitioners a full opportunity of vindicating their principles and conduct at the bar of the House, and of being heard, if necessary, as well by witnesses as by their counsel.

On the same night Mr. Brougham moved that the Roman Catholic Association should be heard, by themselves or their counsel, at the bar of the House, and after a sharp debate, in the course of which Mr. Peel

170 *Mr. Goulburn's Bill passed both Houses.*

made a brilliant speech against the motion, it was rejected by a majority of 133.

Mr. Goulburn's bill was read a second time on the 21st of February, and a third time on the 25th. It was then carried up to the House of Lords, where it was read a third time and passed on the 7th of March, and on the 9th received the Royal assent. The Act was to commence ten days after it passed, and was to continue two years in force. The Roman Catholic Association, seeing that resistance was hopeless, expired without a struggle; only, however, to revive again with increased power of vitality and mischief.

And now the thoughts of the Roman Catholic party were turned towards Mr. Canning. His popularity was unbounded, his feelings were known, and the most extravagant ideas were formed of what might be effected by his all-powerful support. On the 1st of March (so short was the repose given to the House of Commons) a petition to examine Roman Catholic claims was presented by Sir Francis Burdett, who seems to have reconsidered his determination to retire altogether \* from a contest which was destined to afford a perpetual outlet for party feeling. Mr. Canning spoke in favour of it, as well as Mr. Plunkett and Mr. Brougham. The motion was stoutly opposed by Mr. Peel; but it was carried by a majority of thirteen. On the 23rd of March a bill was brought in and read the first time. A long and animated debate

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\* See page 168.

ensued, and it was ultimately read a third time and passed on the 10th of May, by a majority of twenty-one.

Previously to the reading of this bill in the House of Lords, a most important event had occurred—the declaration by the Duke of York against further concessions to the Roman Catholics. It would be difficult to describe the effect of his speech, and the new courage it gave to the Anti-Catholic party. Thousands of copies of it were printed and circulated throughout the country. It was the most decisive check that the question had yet sustained.

Whatever therefore the fate of the Bill might be in the House of Lords, it was confidently believed that it never would receive the Royal assent. Truly enough did Lord Eldon say, that “if the same attention had been paid by the people to this concern between Popery and Protestantism, in any early stage of the business, all had been well.”

But severe as was the check which the Roman Catholic party had now received, they determined to press the matter on without delay. The bill was, therefore, carried up to the House of Lords on the 11th of May, and, after a very long and tedious debate, in which all previous arguments were repeated with as much relish as if they were the most brilliant novelties, it was thrown out by a majority of forty-eight. During the session of 1826 the question of Roman Catholic Emancipation was not formally pressed upon the notice of Parliament. The recent vote in the House of Lords, coupled with the strong Protest-

ant reaction which had set in throughout the country, must have been enough to convince its most enthusiastic advocates of the utter hopelessness of obtaining any further concessions at present, either from the hopes or the fears of the nation. Left Roman Catholic claims, however, should be allowed altogether to fade away, they were assiduously kept before public notice by means of numerous petitions addressed to both Houses of Parliament. The Roman Catholic Association also still held its meetings, the laws against it never having been put into force, and continued to pour forth an uninterrupted stream of slander and sedition.

Early in the year 1827 the Roman Catholics were determined to improve their last victory in the House of Commons, and, on the 5th of March, Sir Francis Burdett moved, "That this House is deeply impressed with the necessity of taking into immediate consideration the laws inflicting penalties on his Majesty's Roman Catholic subjects, with the view of removing them." After a most animated debate, in which all the leading statesmen of the day took part, the motion was lost by a majority of four, the numbers being, for the motion, 272; against it, 276. Thus, then, the question seemed as far from settlement as ever.

## CHAPTER XI.

*Dr. Phillpotts' First Letter to Mr. Canning. His Inducement for entering upon the Roman Catholic Question. Securities a Part of every Roman Catholic Relief Bill. Mr. Canning himself an Advocate for them. Gradual Departure from Original Principles. The Menacing Attitude of the Roman Catholics. An Anecdote in Illustration of Mr. Canning's Retrocession. The Bill of 1825 considered. Its Securities compared with those of 1813. Its Inferiority to Previous Bills. Excessive Deference shown to Roman Catholics. Insolence of the Irish Roman Catholic Association. No Voice allowed to the Sovereign in the Appointment of Roman Catholic Bishops. A Board of Commissioners proposed to certify the King of the Loyalty of the Bishops-elect. Composition of the Board ridiculed by Dr. Phillpotts. The proposed Way of dealing with Bulls and other Instruments from Rome. Summary of the Bill. Mr. Canning's Conduct described.*



IT was at this stage of the Roman Catholic question, that Dr. Phillpotts published his Letters to Mr. Canning, the first being dated the 23rd of February,\* and the second, the 7th of May, 1827. Among the many remarkable publications which issued from the

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\* "A Letter to the Right Honourable George Canning on the Bill of 1825, for removing the Disqualifications of his Majesty's Roman Catholic Subjects, and on his Speech in support of the same, by the Reverend Henry Phillpotts, D.D., Rector of Stanhope."

press, during this eventful controversy, none received, or deserved, more attention than these brilliant letters. It will be necessary, therefore, to examine them at some length.

Dr. Phillpotts states, at the outset, that his inducement for entering upon a discussion of the Roman Catholic claims was to vindicate certain doctrines of the English Church from the gross misconception and misrepresentations to which they had been subjected by the unscrupulous arts of Roman controversialists. The theological and political aspects of the question were by no means inseparable; but the two had become so closely interwoven that it was hardly possible to keep them apart. Mr. Canning, in dealing with the political side of the case, had found himself irresistibly drawn into a discussion of the theological. This afforded to Dr. Phillpotts the opportunity of putting forth one of the most splendid treatises on the bearings of the Roman Catholic question which ever issued from the press.

He proceeds in the first place to show that a system of *securities* had formed part of every plan of Roman Catholic relief, from the time of Mr. Pitt in 1799, down to 1813, and that politicians of all shades of opinion, including Mr. Canning himself, had united in thinking it undesirable to make concessions to the Roman Catholics without asking from them in turn the observance of certain conditions which were deemed indispensable to the welfare of the State. This part of the subject deserves especial attention, as it was

afterwards endeavoured to be shown that Dr. Phillpotts had, for the most unworthy motives, seen fit to change his opinions on the question of securities. He thus speaks upon the matter :—

“ This, Sir, was the epoch of the most secure and honoured state of our Protestant establishments since the time when they were first assailed by the claims of the Roman Catholics. No statesman, on either side of either House of Parliament, ventured then to recommend the unqualified concession of those claims ; or the concession of them at all, without requiring real, effectual, and adequate securities. But from this our high and palmy state the hopes of the Protestants were soon doomed rapidly to decline. The advocates of concession, though still loud and ardent in their professions of a wish for mutual satisfaction and security, began to adopt a looser phraseology ; instead of precise pledges, we now had, from most of them, only vague unmeaning generalities ; even the tone of just indignation against the treachery or waywardness of the Irish Roman Catholics themselves, began to give way before ‘ candid allowances,’ and we soon heard little else but lamentations over ‘ the disappointment of a nation’s hopes ;’ with very small consideration of the causes to which that disappointment was mainly to be ascribed. In short, they were but too apparently preparing to slide into a totally different line of sentiment and conduct.”

Dr. Phillpotts next refers to Mr. Canning’s abandonment of his earlier principles on the question of Roman Catholic relief, and speaks of the peril of making concessions at a time of popular excitement, and under the pressure of intimidation. The attitude of the Roman Catholics themselves is very happily described as follows :—



## 176 *Menacing Attitude of Roman Catholics.*

"It should seem, that, in the judgment of some of our statesmen, a very peculiar principle of political calculation applies to this subject, by which the necessity of precaution is found to be in an inverse ratio to the magnitude of the danger. Not many years ago, a meek and imploring suitor was not to be admitted into the outer court of the temple, without first demanding from him ample securities for his good bearing; but, now, every barrier may be safely broken down—nay, every obstruction and inconvenience must be carefully swept away, in order that the armed ruffian, with defiance on his front, and menace on his tongue, may find a free and unencumbered passage to the very sanctuary of our laws and our religion."

Mr. Canning's retrocession, in presence of the menaces of the Irish Roman Catholic party, headed by O'Connell, is humorously illustrated by the following story:—A celebrated wit, the best scholar of his day both at Eton and Oxford—a first-rate speaker, too, in Parliament, whose only fault was a little over-anxiety, in season and out of season, to get the laughs on his side—happened one day, in driving along a narrow road, to meet a heavy-loaded waggon. What was to be done? he wished to be accommodating, but for both to proceed was impossible: asserting, therefore, the privilege of his aristocratic vehicle, he peremptorily ordered the farmer to get off the road. "Off the road! not for thee nor any man in England;—and if thou dost not take that gimcrack of thine out of my way directly, I'll do—what I should be very sorry to be obliged to do." Our hero, though by no means deficient in manhood, yet wisely considering that no honour could be gained in such an encounter,

soon determined to take the discreeter part. Therefore, settling the matter of dignity as he could, with the best grace possible, and with admirable management of his reins, he contrived to back out of the difficulty, and at length lodged himself and his curicle on a piece of smooth turf, at a considerable distance in the rear. "And now, my friend," said he, "since I have done this purely for your accommodation, be so good as to tell me what you meant by saying that if I did not get out of your way, you'd do what you would be very sorry to be obliged to do?" "Why, please your honour," says the honest Yorkshireman, pulling off his hat, and making his lowest reverence, "if you had not backed, *I must*."

The bill of 1825, which Dr. Phillpotts designates as an insult to the common-sense of the country, next comes under consideration; and he compares the securities with which the concessions were to be accompanied with those of the bill of 1813; for these, as he truly says, are the only subjects worthy of inquiry, the concessions in both bills being nearly the same. These securities were two-fold; a new oath, and a Royal Commission charged with certain duties touching, first, the appointment of Roman Catholic bishops and deans; and secondly, the reception of bulls and other instruments from Rome.

The summary way in which the first of these is disposed of is most thoroughly characteristic of Dr. Phillpotts, and shows that his wit was as ready as his perception was keen. He says:—

"It contains nothing which has not been already prescribed by the Irish Act of the 13th and 14th of George III, or by that of the 33rd of the same king. So far, therefore, we gain nothing. I beg pardon; we gain the exchange of *and* for *or* in two of its clauses. First, as the law now stands, the Irish Roman Catholic 'renounces, rejects, and abjures' the opinion that 'princes excommunicated may be deposed *and* murdered.' Your new security-oath would have made him renounce, etcetera the opinion, that princes excommunicated 'may be deposed *or* murdered;' and for the microscopic vigilance which enabled you and your fellow-labourers in this good cause to suggest such an amendment in the existing law, I trust you will receive your due meed of praise. The matter is really more important than the Protestant reader may at first suspect; for the persons whose loyalty requires to be secured by these provisions are prodigiously nice and accurate in estimating the exact quantum of obligation which they undertake. 'Is it so nominated in the bond?' is their constant inquiry. 'If not,—

"be't but so much  
As makes it light or heavy in the substance,  
On the division of one-twentieth part  
Of one poor scruple,"

they will have nothing to do with it.' "

He then proceeds to cite a marvellous instance of Roman Catholic casuistry which may, perhaps, provoke a smile, but which also shows that he was not insensible to the importance of the apparently trifling change of *and* into *or*.

After pointing out the omissions of the new security-oath, and insisting that the present attempt at legislation was inferior, in many important particulars,

to preceding ones, Dr. Phillpotts inquires for the cause of this retrocession, and explains it on the assumption that the whole proceeding was regulated according to the views and wishes of the Roman Catholics themselves :—

“Of the very persons against whose apprehended hostility new checks and safe-guards were to be devised. Mr. O’Connell wrote to his Dublin friends that such was the liberal wish for conciliation in England that he himself was employed to draw the Bill ! And though the dignity of our senators took fire at the intimation, the internal evidence proves, most conclusively, either that Mr. O’Connell said what was literally correct, or at least that he was allowed ‘an effectual negative’ on your deliberations. I suspect that Dr. Doyle was also of the party ; for the interests of his order were too amply and warily provided for, to have been altogether the work of laymen however liberal. In short, nothing seems to have been insisted upon which the Roman Catholics could find any difficulty in yielding ; if any objection on their part arose, the point itself was abandoned ; and this whole process of arranging the terms of the oath was no better than allowing you to march out with the honours of war, and sparing you the shame of a surrender at discretion.”

That this statement is not overdrawn will be acknowledged by every one who has been at the pains to read the transactions of the Roman Catholic Association in Ireland ; the boastfulness of its language, and the arrogance of its claims might well justify the fears of every well-wisher of the State. The marvel is that ministers should have toyed with a danger which called for an immediate exercise of repressive

energy, and which, by being left unchecked, was defined, only two years later, to react upon the constitution with destructive power. If no other merit belonged to this letter of Dr. Phillpotts, it would have at least this claim on the gratitude of Englishmen, that it warned them of the danger towards which they were drifting.

Having shown the insufficiency of the oath, he next goes on to examine the second security. The bill proceeds to declare "that regulations touching the appointment of Bishops and Deans of the Roman Catholic Church in Ireland are deemed necessary;" and truly enough he says, when the portentous powers possessed, and exercised, by these functionaries, in the present state of that unhappy country, are borne in mind—still more when it is recollected who and of what character are some of the personages who now fill the station of bishops there, that one of them, under the signature of I. K. L.,\* is by far the most daring and seditious libeller of the day—that another scruples not (if the public papers do not belie him) to address an assembly of thousands of the most ignorant of his countrymen in terms hardly short of excitement to immediate insurrection, it will readily be conceded, that "regulations touching the appointment of them" are indeed "*necessary*."

The bill of 1813 gave the Sovereign the power of signifying his approbation or disapprobation of the

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\* James Kildare and Leighlin (Dr. Doyle).

*Appointment of Roman Catholic Bishops.* 181

appointment of Roman ecclesiastics in Ireland, but this important provision was omitted in the bill of 1825.

“Our Sovereign was not to be permitted to exercise any power whatever,” says Dr. Phillpotts, “no, nor to possess the smallest influence, over this Irish hierarchy, though it is notorious that the schismatical Emperor of Russia, and the heretical King of Prussia, exercise in the appointment of the Roman Catholic bishops of their dominions a power far exceeding the utmost ever proposed to be given to His Majesty, and have each of them an accredited agent at Rome chiefly for the exercise of it.”

It is worthy of remark that Pius VII, in 1816, had not thought it beneath the dignity of the Papacy to allow a veto to the British Sovereign, on the appointment of bishops in Ireland. That, however, which was granted in days of weakness may, on the Roman theory, be revoked in days of power; and it was now proposed that a Board of Commissioners should be created, whose duty should be “to certify to His Majesty the appointment of any Bishop or Dean, to be hereafter appointed in the said Roman Catholic Church in Ireland.” Dr. Phillpotts rightly says, “that, so far from this being a *security*, it was in reality a new and very important concession, being, in fact, nothing else than giving them what the law has seen fit to withhold—the public and formal recognition of their rank and character of bishops.”

The structure of this Board of Commissioners next occupies the attention of Dr. Phillpotts. The description of it is conceived in his happiest vein:—

## 182     *Structure of Board of Commissioners.*

“ But of whom was the Board to consist ? *Solely* of the Roman Catholic Bishops themselves. Such men as those to whose proceedings I have just now adverted are to vouch for the loyalty of their future colleagues ! Sir, I will not abuse the patience of my readers by commenting on such a provision. I will only entreat you to follow up your own principle, and recommend to your brother Secretary of State, Mr. Peel, that in his amendment of the criminal law he give us the benefit of this new security for our lives and properties, and provide that in future every person charged with felony shall be tried by a jury taken out of Newgate.”

Dr. Phillpotts next comments on the remaining security—the power given to the board, consisting of Roman Catholic bishops, of inspecting and reporting upon bulls and other instruments from Rome ; and shows that the real effect of this would be another great concession. Independently of the extreme improbability of any bull from Rome appearing to them to be in any way injurious to the safety or tranquillity of the United Kingdom, or to the Protestant Establishment in Church or State, it would give to the bishops of the Roman Catholic Church in Ireland a legalized right to communicate, as they pleased, with the Pope, and to circulate, as they pleased, whatever mandates he might think fit, or be induced to issue. He then sums up the merits of the proposed measure as follows :—

“ And now, Sir, having toiled through the bill, permit me to recapitulate the fair and full amount of the new ‘ securities ’ therein devised. Two of the three provisions which you are pleased to dignify by that name are found, in truth, to be new and large concessions to the Roman Catholics ;

the other, the sole remaining fruit of seven-and-twenty years of hard labour, given successively by some of the acuteſt and moſt powerful intellects which England and Ireland have ever produced, to the momentous problem of ‘ combining Catholic freedom with Proteſtant ſecurity,’ is the amendment of two clauſes of the Irifh oath of 1793, by changing therein the conjunction *and* into *or*.

“ Really, Sir, if the dignity of your ſtation and character did not forbid the ſuppoſition, I ſhould imagine that you had no other purpoſe in recommending ſuch provisions than to laugh at the whole proceeding. But no : it comes from you in very ſober earneſt ; and the moſt charitable way of viewing the whole matter is, to believe that you have ſo tied and hampered yourſelf with this unhappy queſtion, that you muſt ſee it diſpoſed of at any hazard. You dare not ſcrutinize the particular meaſure deviſed for the purpoſe, whether by yourſelf or others. You are afraid of looking into its details, leſt they ſhould be found too abſurd, or too miſchievous, for even the powers of your eloquence to make them decently producible to an aſſembly of educated Engliſhmen. You, therefore, diſpoſe of the whole of them in a lump ; and the majority of the Houſe, equally tired of the queſtion, and equally committed upon it, with yourſelf, cheers you while you ſay that ‘ you will not now enter into the queſtion of ſecurities, further than obſerving that *you do not think we can have any better than thoſe propoſed.*’ ”



## CHAPTER XII.

*Dr. Phillpotts' First Letter to Mr. Canning continued. The General Character of Mr. Canning's Speech in support of the Roman Catholic Relief Bill of 1825. The Oath against Transubstantiation assailed. The Arguments of those who desired its Repeal. Their Fallacy exposed. The True Statement of the Case. Answer of Dr. Phillpotts to Mr. Canning's Remarks on Transubstantiation. Advantage of selecting that Doctrine as a Test. Treatment to which Oaths of Allegiance to Temporal Sovereigns are obnoxious at the hands of Roman Catholics. The Oath of 3 James I. The Gunpowder Treason not the only Cause of it. Objections against the Athanasian Creed. Mr. Canning's Use of it admirably illustrated by Dr. Phillpotts. Object of the Creed explained. Doctrines of Roman Catholics render them unfit to legislate for Established Church. Fallacy of supposing that Roman Catholic Laymen, if admitted into Parliament, would not busy themselves with Ecclesiastical Questions. Doctrine of Absolution enforced. The Roman Catholic Doctrine of the Merit of Good Works. How used by Mr. Canning. Calvinists and Roman Catholics contrasted. The Pope's Supremacy not merely a Spiritual Question. Specious Arguments of Roman Catholics. Different Foundations of Papal Authority in different Countries. The Council of Florence. Doctrine of Papal Supremacy not likely to receive much Favour in England. Danger of its Reception in Ireland. The Bulls "Unam sanctam" and "Unigenitus." The Peril of admitting to a Share in the Legislature those who hold the Doctrine. The Pope determines the Point at which the Allegiance of Subjects to their Sovereign ceases. The Fourth Lateran Council on the Deposition of Kings. Dr. Phillpotts fully justified in his Remarks upon the Pope's Supremacy.*



**C**R. PHILLPOTTS then proceeds to examine the chief points in Mr. Canning's speech in support of the Roman Catholic Relief Bill of 1825, the merits of which he had just submitted to so severe a scrutiny.

The general character of it is thus described by him :—

“And here, Sir, I cannot but express my astonishment that such a speech should ever have issued from your lips. That there are in it, as there must always be in every considerable effort of yours, proofs of uncommon talent, splendid imagery, felicitous expression, I need not say. But the total absence of everything like reasoning, the careful avoidance of all grappling with the real difficulties of your subject, the fabrication of foolish objections for the mere purpose of knocking them down ; above all, the tone of exaggeration, of forced passion, of idle menace, nay, of palpable contradiction which mainly distinguish it, form such a contrast to your happier, I should say your ordinary, style, as to give it the air of travestie, rather than of a genuine production of your rare genius. I am not ignorant that it was characterized by one of the ablest of your hearers as ‘unanswerable ;’ but in sober truth I can hardly imagine a more amusing exhibition than an answer to it from yourself. How would the unhappy wight who had ventured in your hearing to utter such an harangue in opposition to you have been made to wince, and writhe, and groan, under the sting of your sarcastic tongue ! You would have silenced him for the remainder of the session.”

The chief efforts of the supporters of the bill were directed against the application of a religious test as a qualification for the enjoyment of political privileges. The oath against Transubstantiation, therefore, had to meet the first assault. Why, it was argued, should religion be made a crime, and perjury a qualification for office ? The treatment of the Roman Catholics was contrary to the principles of all Government, since no Government has a right to establish an inquisition

into the thoughts of men, nor to punish any one purely for religion. As to the qualifying oath, it was said that a Dissenter of any kind, or even a Deist or Atheist, might take it, while the Roman Catholics alone were excepted. Why, then, should the doctrine of Transubstantiation be selected as a particular subject for denunciation and abhorrence? A man might believe in Jupiter or Osiris, in all the host of heaven, and all the creeping things in the earth, and yet enjoy the honours and emoluments of those offices from which the Roman Catholic was excluded. Was this right—was it reasonable? Should a man be punished for believing too much? Should there be any other test than to allow every man to follow his own form of religion, without restriction and limitation, so long as he continued to live a peaceable member of the state?

Such was a plausible way of stating the case; and, transparent as is its fallacy, it found much favour, even with people who ought to have been able to distinguish sophistry from reason. It was all very well to ask, Was the Roman Catholic likely to be a worse legislator than the Deist?—and, if not, to what was his disqualification to be traced? The answer was easy. The Roman Catholic was not disqualified *because* he held certain doctrines, but because the Church which taught these doctrines committed him to a political combination inimical to the State, and which was liable to make him at any moment the tool of a foreign and hostile power. The Roman Catholic, then, was excluded from office, not because his religion was con-

sidered as his crime, but because it was looked upon as evidence of his possible, and not improbable, disloyalty. Lamentable, therefore, as it must always be to offer a religious test, and, more particularly, one involving the deepest mystery of religion, to candidates for office under Government, such a test had been thought to be necessary ; and, if necessary, it would be hard to find one more searching in effect than the denial of Transubstantiation,—a doctrine interwoven with the entire system of the Roman Church. A substitution for this oath, suggested by Dr. Phillpotts, and which puts the question upon its proper basis, occurs further on. Meanwhile, the danger of thinking lightly of this oath, as Mr. Canning and his adherents sought to do, or of abolishing it without receiving in return ample securities for the loyalty of Roman Catholics, is forcibly set forth by Dr. Phillpotts.

In the course of his speech, Mr. Canning remarked that, while a man was excluded from Parliament for his belief in Transubstantiation, one who believed in Consubstantiation enjoyed every privilege of the Constitution. Without asserting that there was no difference between the two opinions, he added, that “ the man who could make it a ground of exclusion from political power must have a minute perception of the niceties of ratiocination, for which he might be envied as a logician, but which was wholly useless for the purposes of common life.”

Dr. Phillpotts shows the value of this statement by putting a parallel case :—

188 *Advantage of Transubstantiation Test.*

“In order to protect the Bank of England from forgery, it is highly penal ‘for any one to have in his possession a frame for making paper with waved lines.’ Imagine, then, some sagacious country gentleman, fresh from Burn, to come down to the House, and denounce, with becoming self-complacency, the monstrous injustice, that while straight-lined paper may be made with impunity, any honest man who happens to have a curved-line frame in his house is liable to be sent to Botany Bay. ‘I do not deny,’ says he, ‘that there is a difference between straight and waved lines; but the man who thinks that difference so great that the possessor of the waved-line frame is unfit to abide in the same hemisphere with him of the straight, has an acuteness of sensibility to lineal rectitude which, however it may demand our admiration, is utterly unfit for ordinary life.’”

But there was one advantage in selecting Transubstantiation as a test—it was a doctrine which might not be dissembled. While Roman Catholics, therefore, might find authorities to support them in practising mental reservation with reference to any oath, even if it were that of allegiance or supremacy to the King, the doctrine of Transubstantiation was one upon which it was not lawful to equivocate or dissemble. So far, then, the test was adopted with great sagacity. Dr. Phillpotts gives one or two examples of the sort of management to which oaths of allegiance to temporal sovereigns (on Roman Catholic principles) are obnoxious:—

“In the first place, any one who holds the supreme power of the Pope, even in temporal matters, may safely swear that he has ‘no temporal or civil power, direct or indirect, within this realm,’ because his power, though it operates in temporal matters, is not temporal, but spiritual. Again, by any general, though negative declaration, against any authority

in general to be in the Pope, is only intended to deny his having an *ordinary* authority; it does not extend to his extraordinary, casual, celestial, divine authority, on great and unusual contingencies. Once more, there is a very important distinction between the *specificative* and *re-duplicative* sense. This will be best explained by an example. In Father Walsb's time, the Irish clergy were willing to subscribe to this proposition:—"It is our doctrine, that we subjects owe so natural and just obedience to our King, that no power, under any pretext soever, can ever dispense with or free us of the same." Here, the re-duplicative sense applies to '*we subjects*,' that is, *while* we are subjects—which we shall not be when the Pope, by a judicial process, or bull, shall denounce the King excommunicated and deprived of the crown. The re-duplicative sense applies also to '*our King*,' that is, *while* he is our King, &c. Such were the principles of the congregation of Irish clergy in 1666, according to this honest Franciscan. Nor would they be moved from them by the precepts of the Apostles commanding obedience to the civil powers, even under the reigns of the most tyrannical emperors. 'They say, with Bellarmine,' (these are Walsb's words) '*the Apostles, with the Fathers and other primitive Christians, dissembled on this point, because they had not strength enough of men and arms to oppose.*' In what degree the living generation of Irish priests may have departed from these principles of their predecessors, is more than I can presume to say. If charity teaches us to hope the best, it does not forbid us to take all reasonable precaution against the worst."

Dr. Phillpotts next proceeds to consider the Oath for Roman Catholics prescribed by 3 James I, c. 4. s. 15,\* which had been described by Mr. Canning as a "taunt" against their religion. So far from this

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\* See Appendix C.

being the case, he shows, most conclusively, that its object was not to affix a brand on any loyal subject, but to protect the State against the machinations of those who were agents of foreign powers. After stating that the Gunpowder Treason was the proximate cause of this oath being imposed, he alleges that, though the proximate, it was very far from being the only, cause.

“That Treason itself was, in truth, a natural fruit of the doctrines then almost universally taught in the Church of Rome. In particular, as you need not to be informed, seminaries were founded and endowed at Rheims, at Douay, at Rome itself, for the education of English Priests; whose first duty it was to poison the minds of their people against the heretical government under which they lived. The right of destroying heretics was (I wish I could say that it no longer is) a part of the Canon Law; that right had been recently exercised against the sacred persons of sovereign princes. The same Canon Law (as we have already seen) held, and still holds, it a venial offence to put to death an excommunicated person, whatever be his station, provided that *it be done from zeal for religion*.

“These, and such as these, were the reasons for imposing this oath, which you have thought fit to describe as an idle taunt.”

The next topic in Dr. Phillpotts' letter deserves special attention, if only for the masterly way in which he deals with objections which are raised against the Athanasian Creed on the score of its illiberality.\* Generation after generation are these objections revived, and

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\* See “Letter to Lord Grey on the Test Act,” page 38.

successive attempts at legislation (abortive up to the present time, through God's mercy) testify to the restlessness with which man's unchastened spirit submits to anything like dogmatic enunciation of truth. When speaking of the doctrine of exclusive salvation, as held by Roman Catholics, Mr. Canning had brought forward the Athanasian Creed, which expressly declares "that they who differ from it cannot be saved,"\* as an argument why Roman Catholics should not be "excluded from the enjoyment of their civil rights, on the ground of believing the doctrine of exclusion."

The attempted parallelism affords to Dr. Phillpotts the opportunity of dealing upon his adversary some terrible blows.

"Sir, the laws of the old Athenian legislator Draco were said to be written in blood: for he annexed the penalty of death to every offence whatever. Suppose, now, that a citizen of Megara had observed to a friend at Athens, on the cruelty of this sanguinary code—'This is a dreadful system of yours, to put a man to death for stealing a few figs, or breaking into his neighbour's olive ground.' 'Why, my dear friend,' answers the Athenian, 'how can you talk so absurdly? Did not you yourself hang a man last week for murder?' This, Sir, affords but a very faint illustration of the wisdom of putting our use of the Athanasian Creed on a par with the tyrannical and intolerant principles of the Church of Rome. That Church, among a thousand similar extravagancies, sentences a man to the loss of all hope of Christian salvation who says that it is contrary to the institution of Christ *to mix water with wine* at the holy Communion: the Church of England, in the Athanasian Creed,

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\* Mr. Canning's Speech.



## 192 *Object of Athanasian Creed explained.*

pronounces the same of one who impugns the fundamental truths of Christianity; and you are pleased to say, that this deprives us of all right to find fault with the exclusive spirit of Rome.

“As to the Athanasian Creed being ‘a human *exposition* of the great mysteries of Christianity,’ you must forgive my telling you that, if you had taken the trouble of acquainting yourself with the nature of that formulary, you would not have thought it a fit subject of sneer or banter. The Athanasian Creed is not an *exposition* of any mysteries; it does not aim at anything so absurd. But it *states* the fundamental doctrines of the Gospel, and, in respect to the doctrine of the Trinity, accompanies the statement with certain distinctions, which were rendered necessary by the attempts of heretics to corrupt the doctrine itself by their own daring innovations. It also accompanies its statement with denouncing the awful sentence on unbelievers which our Lord Himself denounced, when He gave to His Apostles the solemn charge ‘to go and preach the Gospel to every creature.’ ‘He that believeth not shall be damned.’

“You will perceive, therefore, that the main question respecting the Athanasian Creed is, first, whether its doctrines be true; secondly, whether they be fundamental. The Church of England holds them to be both true and fundamental, and therefore scruples not to receive and use the Creed, notwithstanding the strong terms in which the danger of unbelief is there set forth.”

The real complaint against the Church of Rome Dr. Phillpotts declares to be, not that it excludes from salvation those who impugn doctrines which it thinks fundamental, but that it teaches its members to regard every other Church but its own as necessarily leading to perdition. Now, as one of the objects of Parliament is “to consult for the safety and defence of the

Church of England,"\* it is manifestly inconsistent with the spirit of the Constitution that members of the Roman communion should be entrusted with the legislative powers of the State, when those powers must necessarily be exercised, if their own principles are carried out, to the detriment of the National Church.

"This, Sir," says Dr. Phillpotts, "is the argument for excluding Roman Catholics from Parliament, which we found on their doctrine of exclusive salvation; and you will, I am sure, perceive that it remains completely untouched by your pleasant commentary on the Athanasian Creed."

But while it was felt that the doctrines of the Roman Church, if acted upon, would make it unsafe that members of that communion should be entrusted with a voice in the legislature of the country, yet it was argued that those Roman Catholic laymen who might obtain a seat in Parliament would not be likely to trouble themselves with questions relating to the National Church. Dr. Phillpotts forcibly enough remarks:—

"Sir, I certainly will not insult the members of a different communion by speaking or thinking so ill of them as to suppose that if they hold the doctrine of their Church in this particular, it will be perfectly inoperative. On the contrary, those who really hold it must feel every inducement and temptation to act upon it; their spiritual instructors will be ready enough to apprise them of this duty, and their own passions will make them very willing to acquire the merit of obeying it. In a Church which keeps so accurate a ledger of each individual's merits and demerits, and allows so large

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\* Writ of Summons.

a premium on acts of obedience to itself, we may be quite sure that there will be no want of inclination to comply with so easy a demand. It may be said, however, that there are many professed members of the Church of Rome, who do not hold this doctrine, whatever their Church may tell them. I really believe that there is much truth in this observation, and if you could ascertain correctly who these are, I for one should not be afraid of seeing such men in Parliament. But in the meanwhile it is quite idle to speculate on the possible conduct of these mere *entes rationis*."

The doctrine of Absolution next engages Dr. Phillpotts' attention. Mr. Canning, for the purpose of softening down the Roman practice and its consequences, had stated that in the abstract the doctrine was "*absurd*."

"I trust, Sir," says Dr. Phillpotts, "that you meant to confine your censure to the extravagant doctrine of the Church of Rome; not to extend it (as your words seem to imply) to absolution generally: for if the latter were intended, I am bound to tell you, that, in the plenitude of your parliamentary privilege, you have presumed to visit with your ban one of the most solemn acts and declarations of our blessed Lord Himself. After His resurrection from the dead, when 'all power had been given to Him in heaven and in earth,' He conferred on His apostles and, in them, on their successors to the end of time, the power of absolution, soberly and soundly understood."

The next topic in the letter relates to the "overweening value" which, as Mr. Canning affirmed, Roman Catholics attach to the merits of good works.

"I will boldly venture to assert," says Dr. Phillpotts, "and to appeal to your own better recollection for the truth of the assertion, that you never yet met with man, woman,

or child, quite so silly as to advance this objection, which you are pleased to honour with a most grave, laboured, historical, theological, and (need I add) triumphant reply. But how, it may be asked, can so portentous an hallucination have come over you? I will here hazard a conjecture. It is not improbable that in the course of your morning's reading, preparatory to a debate which was to crown your other high distinctions with the honours of a dilettanti degree in divinity, you happened to find that one of the charges sometimes brought against the Church of Rome was the excessive value ascribed by it to the works of man. This theological objection you hastily mistook for a political one. And how was it to be treated? A man of ordinary genius would have been content to say, that however erroneous the tenet might be, its obvious tendency is to render those who hold it good and useful subjects; that it is the height of injustice, therefore, to make it, in any degree, a plea for abridging their political privileges. But this was very far from satisfying your aspirations. You aimed at higher glory than a dull matter-of-fact argument, however convincing, could bestow. You were pleased, therefore, to contrast the alleged error of the Church of Rome with what you, I doubt not, seriously believe to be a notion of the modern Calvinists. 'Would it not,' you say, 'be more dangerous to a state to make *good works nothing* and faith everything? I prefer the man who insists on the necessity of good works as part of his religious creed, to the man *who considers himself controlled in all his actions by an inexorable fate.*' "

Mr. Canning then contrasts the Calvinists of Charles the First's time with the Roman Catholics of his own, demanding who were they who brought the monarch to the block? and who stripped episcopacy of all its spiritual authority and temporal possessions? The answer to these questions is, of course, not the Papists—

who, in Mr. Canning's estimation, are a lamblike, unoffending set of men,—but the Calvinists, who were most violently opposed to them.

Dr. Phillpotts retorts :—

“ Your argument now stands thus ; because great mischief was inflicted on our Church and nation by one set of madmen two hundred years ago, therefore it is unjust or foolish, or both, to guard against the avowed hostility of another class of enemies in our own days ; because the Dutch fleet burned Chatham in the seventeenth century, therefore none of our dockyards ought to be protected against a French fleet in the nineteenth.

“ I am afraid, Sir, we gain but little by this improvement of the argument. Leaving, therefore, this very favourite piece of eloquence (for so the cheers which attended it prove it to have been) to the satisfaction of yourself and the admiration of your hearers ; I will remind you of a real political objection against the Roman Catholics, founded on the value they attach to good works, but then it is to the good works of others, not their own—and consequently it has no tendency to improve either their loyalty or their morals. On the merit of the supernumerary satisfactions of departed saints, the doctrine of indulgences—remission, that is, of the pains of purgatory—has been built. These indulgences have often been employed in Ireland as means to stimulate and reward the disloyalty of the people to their heretical Sovereigns.”

Dr. Phillpotts next proceeds to examine the doctrine of the Pope's supremacy. And this must not be thought to be merely a *spiritual* question, surrounded with entanglements which the subtlest theologians have hitherto been unable to unravel. It has its *political* bearings also, and those of such magnitude and impor-

tance, that no statesman can safely overlook them. On behalf of the Roman Catholics it was urged that they acknowledged all the principles of the Constitution, and lived as peaceful subjects, in obedience to the laws. How could they, then, attribute to the Pope any absolute power, or any temporal authority, as interfering with the constitution and laws? The only supremacy which they acknowledged in the Pope was *purely spiritual*. The allegiance which they paid to the Holy Father had not hindered them from shedding their blood, at their country's call, upon every battle-field of Europe; and were they still to be charged with disaffection, and suspected of revolt?

Now, if all this had been strictly true, the Roman Catholic would have had much indeed to complain of. But argue as statesmen might, they could not gainsay the fact that the authority claimed by the Pope, when carried to its legitimate results, ended in *temporal* dominion, none the less galling because it happened to be *ecclesiastical*. It is to this point that Dr. Phillpotts addresses himself with singular clearness and vigour.

Mr. Canning had declared that he saw no valid objection in the argument drawn from the belief in the spiritual supremacy of the Pope. In his judgment the question was not whether this doctrine was acted upon by Roman Catholics, but whether it was acted upon in such a way as to make them dangerous to the State.

Dr. Phillpotts proceeds, in the first place, to show

that different foundations of Papal authority exist in different countries. His observations on this point are very valuable.

“The French look to the Councils of Constance, Pisa, and Basil, not only as truly œcumenical, but as having so fixed the superiority of Councils over the Pope, and in other respects so limited his power, that not even the decrees of subsequent Councils, much less the constitutions of Popes themselves, can work any material change in the principles there established. But besides this general security they procured for themselves what was called ‘the pragmatic sanction,’ which recognized on the part of Rome a very large measure of independence in the Church of France, and though this pragmatic sanction was afterwards displaced by a less favourable instrument,—the concordat between Francis I. and Leo X,—still the result has been the establishment of so strong a barrier against the worst usurpations of Rome, that the liberties of the Gallican Church have formed a proud exception to the general state of spiritual bondage, in which other countries of that communion have been all, more or less, enthralled. For by the rest, the acts of the councils, which I have mentioned above (excepting the decrees of Constance against heretics) were all rejected; and in their place the decrees of the Council of Florence (which was held by Eugenius IV. at the same time with the Council of Basil, and in express opposition to it) were universally received. Now, the Fathers of Florence ascribed so large and sweeping an authority to the Pope, that the French have not only uniformly refused to recognize this council as valid, but when at Trent there was an attempt to obtain the re-enactment of the Florentine Decree, the Cardinal of Lorraine, and the other French prelates, positively declared, that they would quit the council, and protest against its decrees, unless the measure were abandoned.”

Dr. Phillpotts then quotes the Decree of the Council of Florence \* as the recognized standard of orthodoxy on the doctrine of the Pope's supremacy.

“ ‘ We define, that the Holy Apostolic See, and the Roman Pontiff, have a primacy over the whole world, and that the Roman Pontiff himself is the successor of S. Peter, the chief of the Apostles, and true Vicar (or representative, *τοποσηστής*) of Christ, and that he is head of the whole Church, and the Father and Teacher of all Christians; and that to him in S. Peter was delegated, by our Lord Jesus Christ, full power to *feed, rule, and govern* the universal Church; as also is contained in the Acts of General Councils, and in the holy canons.’ ”

Dr. Phillpotts then proceeds:—

“ On the authority of this decree, it is not wonderful that the most inordinate extent of power has often been claimed by the Popes, and too often conceded to them. It is admitted by those who are most eager to soften the harsher features of the papal system, by Mr. C. Butler in particular, that the ultramontane doctrine, as it is called, the assertion of the Pope's right to supreme power, whether direct or indirect, in all the temporal concerns of states, the power of deposing sovereigns, of interfering with the rights and duties of subjects, may here find apparent support. That doctrine is not contradicted by any ecclesiastical authority, it is favoured at Rome,—and, everywhere else, it is tolerated by those who do not assent to it. We may be astonished at this; we may think it impossible for any, who dissent from a doctrine so pregnant with crime and mischief of the most

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\* The Council of Florence was first assembled at Ferrara by Eugenius IV, who attempted to translate the Council of Basle thither in 1437. Two years later the Council of Ferrara was translated to Florence.



gigantic kind, to esteem it worthy of toleration and endurance. But so it is; individuals may disclaim the doctrine for themselves; but, as we have already seen, they are not permitted to condemn it as contrary to religion."

That the doctrine of the Papal supremacy, when carried to its extravagant results, would not be likely to gain much favour in England is admitted by Dr. Phillpotts; but he maintains that the case is different in reference to Ireland, where the most audacious claims of the Pope are acknowledged and respected. As a proof of this he instances the Bull *Unam sanctam*, included in the class-book at Maynooth, which teaches that it is altogether a point necessary to salvation for every creature to be subject to the Roman Pontiff. One would imagine that the profanity of this assumption would cause it at once to be rejected by all who profess respect for the principles of religion; but so far from this—

"It is the doctrine," says Dr. Phillpotts, "now taught to the students who are training in the College at Maynooth for the ministry in Ireland, and those among them who shall follow their own common sense, (which, be it remembered, they are in this particular freely permitted to do,) and shall understand the Bull of Boniface according to the plain meaning of the words, and the confessed intention of the writer, will here find a complete and infallible authority for preaching the supreme power of the Church in temporals in its fullest extent."

The Bull *Unigenitus*, and the canonization of Pius V, for deposing Queen Elizabeth are next referred to, for the purpose of showing that the Papal supremacy is no mere empty claim.

"Sir, I must think," says Dr. Phillpotts, "that a claim to supremacy such as this, acknowledged and acted upon by all the ecclesiastics in communion with Rome—entering into, and directing, their devotions—hallowed by association with all that is most sacred in their religion,—is not a matter to be treated with contempt."

He then proceeds to show the danger likely to arise out of the doctrine of the Pope's supremacy, from a consideration of the fact that the power of determining the precise point at which the allegiance of subjects towards their sovereign terminates rests with him alone.

"Now, Sir, can any Government be safe if its subjects are thus at liberty to apply to any authority, foreign or domestic, to ascertain whether and when their duty of allegiance has ceased? Certainly the danger is not lessened, but greatly increased, by that authority being ecclesiastical, for a sacredness is thus thrown about it, which makes its responses infinitely more venerable and convincing than any merely human sanctions could ever give. But the consideration of greatest moment in the account is this,—that there is a specific quarter to which resort may be had for the solution of the doubt. This must facilitate the application for the solution, and, still more, must facilitate and encourage the growth of the doubt itself. Where the conscience of the individual must decide, if he be indeed conscientious, he will of course be so deeply impressed with the sacredness of the obligation under which his oath has laid him, that he will be eager to keep down every nascent surmise unfavourable to his sworn allegiance; nothing but the strongest and the most palpable case of tyranny will overcome his honest scruples. But if there be an ecclesiastical superior who can authoritatively pronounce on the validity of his surmise, he feels himself quite at liberty to give it a full and free vent; to communicate

it to that superior, and in communicating to set it forth in the strongest colours, and so to confirm and augment its native force. Besides, if there were no external quarter to which to have recourse for solution of such doubts, every individual must be inclined to keep them to himself, until the case be of so grave and overpowering a necessity as to unite the whole mass of the people in one common feeling. On all these as well as other accounts the doctrine of the supremacy of the Pope is one which must make every wise legislature, particularly every Protestant legislature, cautious how they increase the power of those who hold it ; and can this seem of little moment when Irish Roman Catholic bishops, who to the mass of their people must appear to speak with authority scarcely less sacred than that of the Pope himself, are describing an intolerable tyranny as even now exercised by the government of their own land ?”

Such, then, being the claims put forward by the Roman Church, it is evident that the question of the Pope's supremacy can never be a matter of indifference to any statesman who labours for the honour and independence of his country. Nor must it be imagined that Dr. Phillpotts has, for the sake of indulging his satire, at all overstated Roman pretensions. The fourth, or great Lateran Council, which was presided over by Pope Innocent III, declares—

“That the secular powers shall be admonished, and, if necessary, be compelled by ecclesiastical censures, to make oath that they will, to the utmost of their power, strive to exterminate from their territory all heretics, declared to be such by the Church ; and further, that if any temporal lord being required and admonished by the Church, shall neglect to purge his territory from all taint of heresy, he shall be excommunicated by the metropolitans and other provincial

bishops ; and if he contemptuously omit to give satisfaction within a year, it shall be signified to the holy Pontiff, in order that he may thenceforth proclaim his vassals absolved from fealty to him, and may expose to Catholics his territory to be occupied by them who, having exterminated the heretics, may possess the same without contradiction."

After this authoritative approval of wholesale murder and spoliation, it would be vain to shut one's eyes to the monstrous results which might well follow from Roman claims. Nor will it be thought that Dr. Phillpotts has spoken too strongly in pointing out the danger which would arise if the question of the Pope's supremacy were treated as belonging merely to the region of spirituals.

## CHAPTER XIII.

*The Letter to Mr. Canning continued. The Errors of the Roman Catholics charged upon "our Persecution." The excited state of the Country caused the wildest Statements to be received. Extract from Speech of Mr. Grattan. The Cry of Persecution destitute of all Foundation. Shown by reference to the Laity's Directory. Extracts from that Work, showing the Gratitude of Roman Catholics for the Concessions which had been made to them. The Rapid Strides made by that Body in England. An Account of their Hierarchy, Colleges, Monasteries, and Convents. Dr. Phillpotts exposes the Dishonesty of the Cry of Persecution. Examples. The Power of the Priesthood in Ireland. Its Abuse. "The Priest's Curse." Conduct of the Roman Catholic Bishops. A Test suggested by Dr. Phillpotts in place of Denial of the Doctrine of Transubstantiation. Difficulty of coming to an Arrangement with the Roman Catholics described by Lord Eldon. Dr. Phillpotts' later Opinion of his suggested Test. His Regret that it had never been changed from a Speculative to a Practical Form. A more Elaborate Scheme of Legislation on this Subject proposed by Dr. Phillpotts. A Description of it. Conclusion of First Letter to Mr. Canning. Its Effect upon that Statesman. Opinion of the Edinburgh Review. Conduct of Mr. Canning's Friends.*



THE next portion of Dr. Phillpotts' Letter is directed against a statement made by Mr. Canning, that the errors of the Roman Catholics, particularly in Ireland, were due to "*our persecution*." A strange charge it may be thought; but in making it this gifted statesman was only echoing a popular cry.

Like men of less perception, he had suffered his reason to be led captive by idle clamour. A spell was on the nation, and the loftiest intellects were prostrated by its power. No falsehood was too improbable to be believed. The wildest stories were related as if they were the most sober truths. Not merely had the Irish Roman Catholics been crushed, so it was said, but their Church had been depressed, to make room for that which they believed to be no Church, the very existence of which was only secured by disqualifying the people, and compelling them at the same time to pay for its support.

“A Church such as this,” said one of their warmest advocates,\* “could not be called Christianity. It would be a Church of ambition, of avarice, of bigotry, and intolerance; a Church baptized in the iniquities of mankind, and wickedly apostatizing from God; a Church bearing the vices and policy of man in one hand, and the people and God in the other.”

If such was the language held by statesmen and senators, it is little wonder that it should find a ready response in the breasts of the ignorant and disaffected. It was not the first time in history that political capital had been realized out of the cry of intolerance and *persecution*. But never, surely, was such a cry raised with so little reason. The notion of persecution was merely an after-thought of the Roman Catholics to compass their ends. Already had their

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\* Mr. Grattan.

206     *Testimony of "Laity's Directory,"*

gains been not a few, and now, that they could quietly count them over, they were greedy of more. Dr. Phillpotts showed the absurdity of this clamour, and the evidence of Dr. Moylan, as cited by him, was an arrow fledged with their own feathers. But in addition to this, a Roman Catholic almanack, called "The Laity's Directory, published by authority," contains some curious and instructive evidence as to the way in which the concessions, which from time to time had been made in favour of the Roman Catholics, were received among them. The testimony is valuable as coming from a source which they themselves are bound to respect.

"In 1778," according to the *Laity's Directory*, "the Roman Catholics of England were freed from a part of the galling penalties and restraints which, through misconception of their principles and conduct, had been accumulating upon them during the greater part of two centuries and a-half."

This Act is described by Bishop Walmsley, in a letter addressed on the occasion to the Roman Catholic clergy of the western district, as "*an extraordinary favour*," showing "the great humanity of government towards them," and "suggesting a propriety of behaviour on their part, in using *the present indulgence* with caution, prudence, and moderation."

"In 1791," according to the same Directory, "a partial enjoyment of the rights of free subjects was extended to them [the Roman Catholics] by the legislature, and in particular they were indulged with the important privileges of

educating their children in their own religion, and of practising it in all its essential duties, except the Sacrament of Matrimony."

Upon the passing of this Act, Bishop Douglas addressed a pastoral to the clergy and laity of the London district, saying that "the day was at length arrived, when he could congratulate them on the greatest of blessings—*the free exercise of their religion*"—since "*a humane and generous legislature* had seen the oppression under which they laboured, and, by an act worthy of its enlightened wisdom, *had redressed the grievances* of which they complained." He then goes on to say that—

"As their EMANCIPATION from penal laws must awaken every feeling of a grateful mind, they should hasten to correspond on their part with the benignity of government; to give to their gracious Sovereign the test of loyalty which the legislature called for, and disclaim every principle dangerous to society, and to civil liberty, which had been erroneously imputed to them."

Bishop Gibson also spoke of "*the mildness* and condescension of the legislature," and called upon the Roman Catholics of the northern district "to express their obligations and gratitude for it." Bishop Talbot praised the king as "the best of sovereigns," and "the legislature" as "*indulgent, compassionate, enlightened and wise.*" And "upon the Duke of Cumberland visiting Rome (*Laity's Directory*, 1793), the Pope desired him to convey to his Royal Father expressions of thankfulness for the indulgences lately granted to the Roman Catholics of England," expressing "his



208 *Extracts from "Laity's Directory."*

with that every member of the legislature should be informed of the grateful sense in which that indulgence was held."

In the year 1792 a great number of the French clergy, who had been banished from their own country, sought refuge in England, where they were not only received with great hospitality, but a subscription was set on foot for their relief, and was enforced by a royal letter. To commemorate this act of national benevolence, the Pope issued a brief, dated Rome, September 2, 1793, in which he described it as "a glorious design," and went on to say that "the King's humanity and munificence *should ever be remembered with the sincerest gratitude.*"

In 1794 many religious communities, driven from their homes by the French Revolution, sought refuge in England.

"The Benedictine Dames of Brussels," says the Directory, "landed at S. Katherine's stairs, July the 6th, where they met *with the utmost humanity and respect, even from the lowest ranks of Englishmen.*"

Again:—

"The Benedictine Dames of Ghent received from the Duke of York, during the late campaign, on every occasion, the *kindest protection*; and from British officers and soldiers in general *such civility and respect as still excites their astonishment and gratitude.*"

"The Regular Canonesses of the Holy Sepulchre of Liege turned their eyes towards England for refuge, with hope and confidence of finding, in their distress, a share in *the unparalleled benevolence, charity, and generosity*, which have been exhibited to so many of their fellow-sufferers."

"The Benedictine Dames of Paris arrived at Dover in 1795, where they were kindly welcomed. It will be their pleasing duty to pray for the welfare of their native country with redoubled earnestness, *after having experienced its liberality, and enjoyed the blessings of its free constitution*, so widely different from the boasted liberty, but real tyranny, from which they have escaped, and in particular for *the best of Sovereigns*, that he may long reign over a happy and a united people, and may succeed in his gracious endeavours to bring about universal peace and philanthropy."

So much for the cry of *persecution*. But our sympathies, it may be alleged, were extended mainly to continental Roman Catholics, who happened at the time to be special objects of commiseration. Not a word is said about Ireland. While the yoke was being relaxed in other quarters, it was being tightened in that unhappy country. Let the *Laity's Directory* again be witness:—

"In 1796, the destruction of the greatest part of the Irish Colleges on the Continent, having alarmed the (Roman) Catholic Bishops in Ireland, they presented a memorial to Lord Westmoreland, then Lord-Lieutenant, praying to obtain permission to educate the Irish clergy at home. They at the same time requested a clergyman of their own communion, resident in London, to converse with the British Ministry on the subject, and after a few conversations Earl Fitz-William, who was shortly to assume the government of Ireland, was instructed to establish and endow a college for the education of the (Roman) Catholics of that country. The plan not being completed during the short Viceroyalty of the last-named nobleman, it was taken up by his successor, Earl Camden, who, not satisfied with obtaining from Parliament the necessary grants, both for the subsistence and necessary buildings of the college, *went in person, accompanied by the*

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1601 spectrophotometer. The concentration of chlorophyll was expressed in  $\mu\text{g mL}^{-1}$  of the sample.

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only think with terror and alarm of the concessions wrung from a pliant Parliament by political agitators, dominated by priestly craft. Freed from all restrictions, and hampered by no insuperable securities, the intrusive Roman Church rears her head so proudly as to make her a dangerous rival to the Established Church. Having gained so much, why may she not ask for more? Already she has in England 19 bishops, including one cardinal archbishop, 1196 priests, 824 churches, chapels, and stations, 30 communities of men, 157 convents, 10 colleges, and in Scotland 4 bishops, 169 priests, 193 churches, chapels, and stations, and 2 colleges. Such is the machinery which the Roman Church has at its command for winning back the population of this island to "the true faith." That such a result should ever arrive is probably more than even the most ardent of the "faithful" looks for; but with such an agency at work, with organization so perfect, with a network of religious houses spread across the land, and with a priesthood largely recruited from the ranks of our own clergy, it would be more folly to close our eyes to the fatal legacy which our fathers bequeathed to us, when they yielded, in a hapless moment, to the cry of "persecution," and gave to the Roman Catholic all and more than he had dared to hope for.

After stating the necessity of defending the laws and Government from the reproaches so inconsiderately cast upon them by Mr. Canning, Dr. Phillpotts proceeds to cite the testimony of the very men who had been paraded as the miserable victims of oppression

*Lord Chancellor and the three chief Judges, besides the usual attendants of his high office, to lay the first stone; all the neighbouring noblemen and gentlemen, and an immense concourse of people, with the President and students, attending, who testified the most unbounded joy and loyalty on the occasion. After the conclusion of the ceremony, his Excellency commissioned the President of the College to conduct such of the (Roman) Catholic Bishops as attended, in his own carriages, to dinner at the castle, where a splendid entertainment was prepared, and, as a mark of further respect to the ceremony, he called upon the (Roman) Catholic Archbishop of Armagh to say grace. These last circumstances cannot appear too trivial for memory to record, when it is considered that this was the first time since the Revolution that a (Roman) Catholic Bishop was permitted to dine or to sit in company with any Lord-Lieutenant of Ireland. The whole measure was carried into effect with so generous, so liberal, and so cordial a protection, as to endear him personally to the Catholics of Ireland, and to impress them with so grateful and so affectionate a loyalty to His Majesty's Government AS TIME CAN NEVER EFFACE."*

Comment would be idle. If the Roman Catholics could express themselves in language of such apparently heartfelt gratitude, and within a few years could raise a cry of oppression and persecution against their benefactors, it is only one more proof of the essentially aggressive spirit of their Church, and of the need there was to exact securities for their peaceable behaviour.

And here it may not be amiss to dwell for a moment upon the results of Roman Catholic agitation, as exhibited in the rapid stride made by that body in England during the last thirty years. Few people are aware of the extent of the Roman Catholic population in England and Scotland; and those who are aware of it can

only think with sorrow and alarm of the concessions wrung from a pliant Parliament by political agitators, stimulated by priestly craft. Freed from all restrictions, and hampered by no unpalatable securities, the intrusive Roman Church raises her head so proudly as to make her a dangerous rival to the Established Church. Having gained so much, why may she not ask for more? Already she has in England 19 bishops, including one cardinal archbishop, 1196 priests, 824 churches, chapels, and stations, 50 communities of men, 153 convents, 10 colleges, and in Scotland 4 bishops, 169 priests, 195 churches, chapels, and stations, and 2 colleges. Such is the machinery which the Roman Church has at its command for winning back the population of this island to "the true faith." That such a result should ever arrive is probably more than even the most ardent of the "faithful" looks for; but with such an agency at work, with organization so perfect, with a network of religious houses spread across the land, and with a priesthood largely recruited from the ranks of our own clergy, it would be mere folly to close our eyes to the fatal legacy which our fathers bequeathed to us, when they yielded, in a hapless moment, to the cry of "persecution," and gave to the Roman Catholic all and more than he had dared to hope for.

After stating the necessity of defending the laws and Government from the reproaches so inconsiderately cast upon them by Mr. Canning, Dr. Phillpotts proceeds to cite the testimony of the very men who had been paraded as the miserable victims of oppression

and persecution. He quotes a letter of Dr. Moylan, a Roman Catholic Bishop, (16th of April, 1798,) in which he informs the faithful of his diocese that they "*possess the advantages of the Constitution,*" that "the penal laws under which our fathers groaned have been almost all done away," and that "*these are favours that should excite and call out all our gratitude.*" He then remarks upon these statements:—

"You, Sir, will not be able to read language such as this without deploring the lamentable degradation to which the existing penal code had thirty years ago reduced its victims; they were, it seems, so far debased by it that they could even hug their chains and fancy themselves happy, till Mr. O'Connell, and Mr. Cobbett, and Mr. Canning, (have we lived to witness the association?) in the overflowing torrent of their benevolence, have kindly assured them that they are perfectly miserable. To call on Ireland to value the Constitution in her present state, is, according to you, 'to suppose her either utterly incapable of appreciating the benefits of *emancipation*' (shade of William Pitt! does he who calls himself your disciple dare so to abuse that word?) 'or altogether unworthy of it.' And yet, Sir, so late as the 16th of March, 1821, you were yourself so insensible to the wrongs of that injured country that you could thus speak of the condition in which the laws have placed her. 'From that time (1774) the system was progressively mitigated, until the year 1793, which *crowned and consummated the gift of civil liberty, and left only political concession imperfect.*'"

In what follows, Dr. Phillpotts exposes a most fruitful source of mischief in Ireland—the unwarrantable power claimed by the priesthood; a power which, as he shows, their prelates refused to sanction, however much they might find it convenient to wink at it. This

power displayed itself in denunciations from the altar ; and, after making allowance for all explanations, it must be confessed that anathemas of this kind partook of the character of actual excommunication.

And here it must not be thought that Dr. Phillpotts was setting himself up as an antagonist of that Ecclesiastical discipline which from the earliest times has been held necessary for the well-governing of the Church, which derives its authority from Holy Scripture, which has been enforced by an unbroken line of writers, beginning with S. Clement, and which has received the sanction of a long series of Councils and Synods, including the famous one of Nice. No, he was too true a Churchman for that. With his Prayer-book in his hand, declaring (*Art. of Relig.* XXXIII.), "That person which by open denunciation of the Church is rightly cut off from the unity of the Church, and excommunicated, ought to be taken of the whole multitude of the faithful as an heathen and publican, until he be openly reconciled by penance, and received into the Church by a Judge that hath authority thereunto"—he was not likely to say anything to throw discredit upon this salutary ordinance. But he held it as a scandal upon Religion that the priesthood should be allowed, often for no higher motive than to insure the return of a favourite candidate at an election, to sow curses broad-cast over the land. The educated might think as lightly of them as they deserved, but the unlettered would recognize the Voice of God. To chronicle the outrages and murders committed in Ireland under



the sacred name of Religion would be to transcribe the darkest page in the history of that unhappy country.

Boldly does Dr. Phillpotts attack this abuse of sacerdotal power, and show the expedients to which even prelates would condescend, in order to shift the responsibility from their own shoulders:—

"Sir, I must not wholly omit to notice the power of excommunication, as one of the most efficacious causes and instruments of the tyranny of the Irish Priesthood. Excommunication, I need not say, is a sentence of absolute exclusion from all the rites and sacraments of the Church—and that, in the estimation of every sincere member of the Church of Rome, it is therefore an absolute exclusion from the means of Grace, and from the hopes of Heaven.

"This sentence cannot, according to the principles of that Church, be pronounced by any but the Bishop, or delegate of the Bishop. Yet in Ireland the Parish Priests are continually in the habit of exercising a power short of formal excommunication, but which has almost equal effect on the terrified minds of the people; and what is not less worthy of remark, the Bishops are in the habit of contemplating the exercise of this power in perfect silence. It is called 'The Priest's Curse.'"

Dr. Phillpotts then cites instances of the exercise of this dreadful power, and continues:—

"Yet, notwithstanding the notoriety of these and other similar proceedings, we have not heard of a single instance in which any one of these Clergy was called to account by his ecclesiastical superiors, for what Dr. Doyle has designated as 'a thing so wrong in its own nature, that it must strike every Christian,' namely, 'that a Priest, appointed to minister between the people and God, should convert his ministry into a curse.' And while the Bishops have thus

looked on in silence, the laity, even in England, have given their sanction to this exercise of spiritual authority in temporal matters, by returning solemn thanks to them for their exemplary zeal and services."

The next point in Dr. Phillpotts' letter relates to a Test which he proposes in place of the denial of the doctrine of Transubstantiation. Some such a test as that suggested by him would at once have silenced those noisy agitators who were clamouring for "religious liberty," and who maintained that, in disqualifying men for office on account of any particular creed, Parliament was arrogating to itself the power of the Almighty. But it should be remembered that, with the Roman Catholics, the question did not lie between the denial of Transubstantiation and any other test, but between that and *none*. They were now suing for admission into the legislature on equal terms with Protestants, and were not prepared to give securities for their good behaviour. The day might come when these securities would be inconvenient. It was wiser then to be unfettered. The nation just now was in a pliant mood. It required but a little gentle pressure to gain that which, a few years before, the wildest agitator had not dreamt of.

Speaking of the attitude of the Roman Catholics, and the difficulty of making any satisfactory arrangement with them, Lord Eldon says, in a letter to Dr. Phillpotts, September the 28th, 1828 :—

"I presume that arrangement has not become more easy, when the Irish Roman Catholics say that they *must* be put

upon an *equality*, at least, with the Protestants; that they *must* have a Reform in Parliament, and the right of suffrage continued to the freeholder under the influence of the Roman Catholic priesthood, or still more largely established; and when they tell you that they not only will not be contented with this, if they receive it of your gift, but *that they will have it, and can have it, whether you choose to give it them or not*. I cannot imagine to myself what it is you can concede to them with safety to the Established Church, if you are to negotiate about concessions to them, in possession, *in fact*, of the Government of Ireland, and professing to treat *with the Government of the United Kingdom*, on the part of 'the people of Ireland,' as a body, in fact, though not in law, no part of *the people of the United Kingdom*, separated at least from that kingdom *de facto*, as they allege. If their *power can wrest from you now what they ask*, will your granting what they now ask disable them, by the exercise of that same power, to wrest from you whatever they may further please to demand?"

The new Test suggested by Dr. Phillpotts runs as follows:—

"I, A. B., do declare, in the presence of Almighty God, that I do not hold, nor believe that it is necessary, in order to their eternal salvation, that his Majesty King George, or any of his liege people being Protestants, be or shall become in any way subject to the Pope, or to any authority of the See of Rome; and I do declare, that I do not hold, nor believe, that the Protestant Church of England and Ireland, as by law established, is in such wise heretical, that any of the members thereof are, on that account, excluded from the promises of the Gospel, or cut off from Christian salvation; and I do faithfully promise and swear, that I will not use any power, right, or privilege, which does or shall to me belong, for the purpose of destroying, or in any way weakening, the Protestant Church and the establishment thereof, as it is now by law maintained. So help me God."

He then goes on to say :—

“Sir, I bear no man’s proxy, and am not sure that such a test would satisfy any other individual of any party.

“That it would not satisfy the Irish leaders I am well aware, and, in plain truth, I should have no sort of confidence in any that would. That it would be offensive to the Church of Rome, and to all the bigoted members of that Church, I have as little doubt, and for that very reason I should have more reliance on its efficacy. The great desideratum has always been to separate between the bigots and the moderate members of that Church; to bear with as light a hand as possible on the latter, and to control the hostility of the former with the most effectual restraints that the wisdom of the Legislature can devise. I should hope that, among the nobles and the educated laity of that communion, both in England and Ireland, many would be found who would spurn the mandates of their Church, if she should refuse to let them give to their Protestant countrymen such a security for the safe and honest exercise of their functions as legislators.”

Speaking of this suggestion for a new Test, Dr. Phillpotts says, several years later :\*—

“In looking back at this passage, I frankly own that I do not think it was marked by ‘absolute wisdom,’ though I do not the less claim it as a testimony of my sincerity.”

A little further on Dr. Phillpotts expresses his regret—and it is one in which every thoughtful man must join—that the experiment of changing the test from a *speculative* to a *practical* one had never been tried.

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\* “Letter to Sir Robert Inglis.”

“One great advantage would necessarily follow,” he says; “there would be no longer occasion left for declamatory harangues on the hardship of punishing men for speculative errors; there would be no more prattle heard about nice distinctions between Transubstantiation and Consubstantiation; and you, Sir, and men like you, would be spared the feeling of self-reproach, which the consciousness of having recourse to such wilful sophistry can hardly fail to inflict. In short, those who would be excluded by such a test could not be held up as martyrs. It could not be any longer said that they are stigmatized as idolaters,—that they are punished for following the dictates of their conscience. But the real truth would be made manifest, that they are the persecutors in spirit—that if there be any stigma it is stamped by themselves—that they are kept out of Parliament because their conscience itself would compel them to abuse the power of legislation into an engine of spiritual tyranny, and of aggression on the conscience of others.”

And here it will not be out of place to notice a more elaborate scheme of legislation on this subject suggested by Dr. Phillpotts in 1828. It occurs in a letter to Lord Eldon, and is worthy of all attention, as showing the profound knowledge and ability which he brought to bear upon a subject that was distracting statesmen, and causing the wildest apprehension throughout the country. In this scheme, it is to be observed, as elsewhere, he insisted that the time of *exclusion* was gone by, and that nothing remained but to grant a measure of *concession*, accompanied, however, with securities of the most stringent kind. What these securities were to be he himself sets forth; and if exception be taken to certain portions of his plan, it must be remembered that he has only failed where

the greatest intellects had failed before him, and it must be allowed that upon the whole the scheme is just, reasonable, and salutary.

The following observations give an admirable view of the position :—

“ Permit me, in the outset, to say, that the longer I have considered the subject, and the more closely I have been able to watch the progress of events, the more firmly am I convinced of two things, apparently at variance with each other ;—first, that the true principles of the British Constitution require that concessions should *not* be made ; and, secondly, that the wretched degeneracy of our present race of Parliamentary orators, their ignorance of those principles, and, still more, their heedlessness of them—the want of energy in most of our public men, the want of authority in Government on this question (on which, sixteen years ago, Government most—what shall I say ? most unhappily—abdicated all authority)—above all, the lamentable absence of almost everything that was wont to characterize an English House of Commons, combine to make it certain that, ere it is very long, concessions *will* be made.”

He then goes on to say that if this is a correct view of the state of things, the present is the time when concessions may be made with the least hazard.

As a preliminary, however, to any act of legislation, he holds that the honour of Government should be vindicated by the immediate suppression of the Irish Association. He then suggests that the question of concession, coupled with full and complete securities, should be brought before Parliament in a speech from the Throne. What those securities should be he next proceeds to consider.

“And now for the plan of securities to be proposed.

“I will set out, with observing, that it would appear to me utterly intolerable, in framing these securities, to have recourse to any Roman Catholics, least of all to the Pope. I should hope that Parliament would adopt, in their fullest sense, the words of the Duke of Wellington—‘We must legislate for ourselves, and we must legislate firmly and fearlessly.’ I will next say, that it would appear to me of main importance, in framing such securities to *avoid all mention of Roman Catholics*, and to make laws in general terms, which, while they operate on all, shall yet be so devised as to provide against the particular dangers to be apprehended from that sect.

“I. Let there be an Act for limiting the right of voting for Members of Parliament for Counties in *Ireland*, to persons having estates in fee or in tail, or on lease for lives renewable for ever, if the value of the land is 40s. per annum, and less than 20l. per annum, leaving the right as at present to all persons having any freehold estate in land above that value, the value of the land to be in all cases estimated according to the *rent* which it would obtain if let. The obvious benefit of this first security would be to reclaim the power of choosing Members of Parliament for Irish counties from pauperism to property, and thereby to secure the elections, for a long time, almost entirely to Protestants. In the instances in which Roman Catholics would be chosen, they would at least be men of property, and probably men of education; in either case not likely to be the slaves of the priesthood.

“It is said by all persons acquainted with Ireland as it is now, and as it was thirty years ago, (before the establishment of Maynooth College,) that there is *now* one marked change. The priests are of a lower grade in society, they are not, as they formerly were, guests of the Popish gentry; on the contrary they are kept at a distance, and have little or no influence over them.

"A Protestant gentleman of large fortune resident in the county of Clare, who has been with me lately, says that the Roman Catholic gentry are more annoyed, if possible, than the Protestants, at the present domination of the priesthood and the demagogues.

"II. An Act, requiring all members of either House of Parliament before they sit or vote, to take an oath, or make a solemn declaration, founded either on the writ of summons to Parliament, or on the declaration recently substituted in lieu of the sacramental test, *for the security of the Church of England and Ireland*; the preamble of this Act recognizing this Church as *a fundamental and essential part of the Constitution*.

"The benefit to be obtained from such a statute might be found greater than at first appears, for it would give to the Church the pledge, not only of Roman Catholics, but of *all other Members of Parliament*, none of whom are at present under any engagement to it. If individuals would disregard, or explain away such a pledge, it might be at least hoped that the great body of either House of Parliament would feel and respect its binding nature. At any rate it would strengthen the claims of the Church, and could not fail to affect powerfully the opinion of the people against any open attempt to injure it.

"This measure would be stoutly opposed. Lord Holland protested against it by anticipation, during the debates on the repeal of the Test Act. So did some one in the House of Commons. But if no measure is to be adopted which will be opposed, the Constitution may as well be given up at once. After all, since men of all parties are weary of the Popish question, and eager to get rid of it, any measure, strenuously insisted on as a necessary adjunct to the settlement, might be carried, perhaps with less of resistance than under other circumstances could be hoped. The proposed *recognition of the Protestant Episcopal Church of England and Ireland as an essential part of the Constitution* was made in the



*preamble of the bill of 1813*, as amended in the Committees of the House of Commons of that year ; and it is enacted in the Act of Union that the preservation of the said United Church shall be deemed an essential and fundamental part of the said Union.

“ III. An Act *declaring* it to be unlawful and prohibiting all persons from calling themselves or others *in any printed book or paper*, under any qualification, Bishops of any See, Deans of any Chapter, or Rectors of any Parish, of which there are according to law Bishops, Deans, or Rectors of the Established Church of England and Ireland. The penalty for the first offence, a fine of       ; for the second, the party to be required to withdraw himself from the realm, and if he return without licence under the Great Seal, transportation.

“ The necessity of some such statute is becoming every day more imperative. The Popish Bishops call themselves, and are called Bishops of the Irish Sees without scruple, and often without qualification. If it be urged (as it was urged by Mr. Pitt) that in an *Episcopal Church there must be Bishops*, at least let the Popish Bishops be compelled to imitate the modesty of the Protestant Bishops of the Episcopal Church of Scotland, who abstain not only from all titles of *Lordship*, but even from calling themselves publicly Bishops of *Sees*, though there are no other persons entitled by law to those Sees. Within the last two months this abuse and usurpation in Ireland has extended beyond Bishops, and even beyond Deans. The Parish Priests are now called by the Association, *Catholic Rectors*, and sometimes simply *Rectors* of such and such parishes. But for this invasion of the rights of the Established Church there is absolutely no semblance of excuse : it is sheer, unmixed, unmitigated hostility ; it is an avowal of a determination to usurp the character of the National Church, in defiance and in derogation of the lawful rights of the Protestant Episcopal United Church of England and Ireland.

“ IV. A Statute, prohibiting all persons in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, and all Ministers or Teachers of Dissenting Congregations in Ireland, from in anywise interfering in any contested election of members of Parliament in Ireland, whether by asking votes, or otherwise, making any candidate ineligible, and consequently all votes given to him thrown away, who shall, by himself, or by his agents, use, or knowingly permit the aid or interference of such persons, saving, however, the right of such persons to vote themselves, and to solicit the votes of persons who are tenants under them of any land or tenement, and are qualified to vote.

“ This, it will be seen, is here confined to *Ireland*, but if in order with the better grace to exclude the influence of the Popish Priest, it be thought fit to extend the operation of the proposed measure to England also, it is a restraint which I think would not do us any harm ; nor would it, I believe, excite any feelings of annoyance or dissatisfaction in the minds of the Protestant Clergy of this country. Perhaps even our fair influence would not be lessened by it.

“ V. A general oath of allegiance and supremacy to be taken by all persons in *Ireland* as a qualification for office, or on any other occasion when either the common oaths of allegiance and supremacy are required at present, or the oaths prescribed in the Acts of 21 and 22 Geo. III. and 33 Geo. III, to be taken by Roman Catholics (in lieu of the oaths now required by law) :—

“ I, A. B., do take Almighty God and His only Son, Jesus Christ, my Redeemer, to witness, that I will be faithful and bear true allegiance to our most gracious Sovereign Lord King George the Fourth, and him will defend to the utmost of my power against all conspiracies and attempts whatsoever that shall be made against his person, crown and dignity, and I will do my utmost endeavour to disclose and make known to his Majesty and his heirs, all treasons and traitorous conspiracies which may be formed against him or

them; and I do faithfully promise to maintain, support and defend to the utmost of my power the succession of the Crown in the heirs of the body of the Princess Sophia, Electress and Duchess Dowager of Hanover, being Protestants, against any person or persons whatsoever; and I do declare that I do not believe that the Pope of Rome or any other foreign Prince, prelate, state or potentate hath, or ought to have any temporal or civil jurisdiction, directly or indirectly, within this realm. (I do further declare that our Sovereign Lord King George is over all persons and in all causes ecclesiastical and civil, to the laws of this kingdom in any wise appertaining, within his dominions supreme.) And I do swear that I will defend to the uttermost of my power the settlement and arrangement of property in this country as established by the laws now in being. I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment; and I do solemnly swear that I will not exercise any privilege to which I am, or may become, entitled to disturb or weaken the Protestant Church of England and Ireland, as by law established, or the Protestant Government in this kingdom.

“So help me God.

“The whole of this form of oath is taken from those already prescribed to be taken by the Irish Roman Catholics, by 21 and 22 Geo. III. c.—and 33 Geo. III. c. 21 (Irish), except the words describing the succession of the Crown and the short clause within brackets, and except the alteration of the last clause into words more distinctly expressing the intention of the legislature, and less obnoxious to unfair interpretation than those in the existing statute. The clause so altered resembles one *proposed by Mr. Canning in 1813, and making part of the Bill as amended in the Committee of the House of Commons of that year.*

“In England it would not seem necessary to make any change in the oath of allegiance, or oath of abjuration. The Oath of Supremacy (to be taken by all persons when-

ever the present Oath of Supremacy is required), might be as follows, taken from the 37th Article of the Church :—

“ I, A. B., do declare that the King’s Majesty hath the chief power in this realm, unto whom the chief government of all estates of this realm, whether they be ecclesiastical or civil, in all causes, doth appertain, and is not, nor ought to be, subject to any foreign jurisdiction.

“ So help me God.

“ *Proviso*—That the present oaths be continued to be taken by all persons holding any office, benefice, place, or dignity in the united Church of England and Ireland and the Church of Scotland, by all Judges in every Ecclesiastical Court, by persons holding office in all Universities, or taking degrees in English or Scotch Universities or Colleges, or schools of Royal or State foundation.

“ *Proviso*—That all Archbishops, Bishops, Priests and Deacons of the united Church of England and Ireland, all Chancellors or Vicars-General of Dioceses, all Judges in any Ecclesiastical Court or Court of Appeal, shall take the oaths now required by law.

“ The stiffer Papists may object to the concluding words, because they hold that all baptized persons are subject, in spirituals at least, to the jurisdiction of the Church and of the Pope. But let those that will, object to such a form, their objection would only prove more strongly the necessity of requiring it.

“ The reason for proposing different forms of oaths for the two countries is the different state of the law at present in the two. The oath now taken by the Irish Roman Catholics contains a clause so much more distinctly engaging them to abstain from injuring the Protestant Church, than any in the oath of the English Roman Catholics, that it must not be surrendered. And it is not likely that it would be objected to by the Irish Protestants, if enjoined to be taken generally by all persons in Ireland. But if proposed as the oath to be taken by all persons in England it would,

without doubt, be strongly opposed, nor would it be desirable to disturb the adjustment made by the statute which repealed the Test and Corporation Acts in the last session.

“VI. An Act prohibiting any person from advising the King in the disposal of ecclesiastical benefices who is not a member of the Church of England and Ireland; and enacting that if any ecclesiastical benefices be in the patronage of any office under his Majesty, the person appointed to such office shall at the time of taking the other oaths, required to be taken by him on entering thereupon, make and subscribe the following declaration :—

“I, A. B., do solemnly declare that I am a member of the united Church of England and Ireland.

“So help me God.

“In default whereof the exercise and enjoyment of the said patronage shall belong (during the continuance in office of such person), to any Privy Councillor whom his Majesty shall appoint, such Privy Councillor first making and subscribing the said declaration.

“It may seem to be necessary, consistently with this measure, to retain the existing restraints on Roman Catholics who are possessed of advowsons. And, in my opinion, there are obviously sound reasons of justice and policy against permitting any persons who are not members of the Established Church to present to any of the benefices of that Church. But as other dissenters are permitted to enjoy this patronage it would perhaps be hardly necessary or expedient to retain this one badge of suspicion against Papists *alone*. If retained there might be a permission to the Catholics to sell advowsons, if entailed, purchasing lands with the money received for the same, and making the lands so purchased liable to the same limitations as the entailed advowsons.

“VII. An Act, charging all assessments for the repair of churches and other church-rates in *Ireland*, on the landlord, and not on the occupier of lands, and tenements,—requiring the occupier to pay them to the collectors, but authorizing

and empowering him to deduct the sums so paid from the rent due to the landlord. Perhaps an appeal to the quarter sessions might be given on the expediency or amount of any particular rate.

"I apprehend that, at present, in every case of fair letting of lands or houses, the landlord does, in fact, pay the rates, inasmuch as their amount is calculated as an outgoing, when the bargain is made; but in the existing state of Ireland, where very little calculation often takes place, previously to the tenant taking his small tenement, and excessive rents are blindly submitted to, these rates do really fall upon the tenant, and from their very nature and object, being imposed for the support of a Church to which he is adverse, they must be peculiarly galling. This is, perhaps, the most specious of all the alleged grievances. But the necessity of requiring these rates to be paid by *all*, whether members of the Established Church or not, rests on a principle which must on no account be relinquished, how vehemently soever it be assailed.

"VIII. A continuance at least for some years of the prohibition against Roman Catholics in Ireland (not possessing certain qualifications in land or money) having arms in their possession.

"It would be obviously prudent to effect this by silently retaining the present disability. If it be opposed there is unanswerable ground for insisting upon it, in the turbulent and perilous state of that country.

"If this, or any other restraint, be retained (as some others must be—particularly in respect to advowsons, and also in respect to voting at parish vestries, the founding of monastic establishments, the prohibition of processions, etc.)—it will be much better to follow the precedent of the English Act of 1791, which distinctly enumerates the laws to be repealed, than the Irish Act of 1793, which commences with a general repeal of all disabilities, and then proceeds to special exceptions.

"IX. A proviso similar to that in 1813 for Act of Uniformity, etc.

"X. Processions, etc.

"I have thus ventured to detail my opinions as to the measures which ought to accompany concession, if concession be made. For doing this at so great a length I offer no apologies, for your Lordship has been pleased to require it of me. It would be the highest reward I could receive, if your Lordship should be hereby induced to give your own mind to a consideration of this important subject. From you would proceed a scheme of real securities if any are attainable."

It has been thought advisable to insert this scheme of securities at full length, in consequence of its important bearing on Dr. Phillpotts' alleged change of sentiment on this subject, which will come under consideration further on.

The suggestion for a new test brings us to the conclusion of Dr. Phillpotts' first Letter to Mr. Canning. And well may it be doubted whether his wit ever showed a keener edge or brighter polish than when laying bare the sophistry with which that great statesman sought to disguise arguments which not even his matchless eloquence could rescue from so merciless a dissection. Writing to Sir John Copley, Mr. Canning spoke of this letter as "Dr. Phillpotts' *stinging pamphlet*." He might with equal truth have called it *withering*, for it penetrated to the very heart's core of the system of expediency put forward in a speech which was vaunted as a master-piece of state-craft. That speech was publicly characterized as "unanswerable," and so perhaps it seemed, until a thinker as acute as Mr. Canning, and one whose wit was both more subtle

and piercing, stepped down into the arena to give him battle. Then it was that the vaunted armour of proof turned out to be no better than pasteboard.

The truth is, that, brilliant as were Mr. Canning's talents, he was overmatched by Dr. Phillpotts. It was one thing to encounter amateur theologians on the floor of the House of Commons, it was another to measure swords with a man to whom theology was both a business and a pastime, and who, in this sense, had been a man of war from his youth. It is not, of course, to be expected that an eminent statesman should of necessity be an eminent divine; and therefore to see a man like Mr. Canning stepping out of the region of his own studies and research, and discoursing glibly of doctrines and creeds, reminds one of Achilles in petticoats playing the amiable to the daughters of Lycomedes. An occasional awkwardness in gait is excusable, but such perpetual blundering and stumbling reveals the deception. That the merits of this letter were too great to be safely disguised is confessed by Dr. Phillpotts' old enemy, the *Edinburgh Review*. In March 1827, an article appeared entitled, "Late Vote of the House of Commons," in the course of which the writer admits that "*he certainly has been quite consistent*;" and goes on to say that "he has always stoutly delivered his sentiments on one side;" that "he has justly acquired the credit of being about the ablest of those who espouse that side;" and that "he now perseveres in the same course, at a time when the expediency of such conduct, for the interests of him who holds it, becomes daily



more questionable." This is high praise, but it is no more than he deserved.

But while Mr. Canning was smarting from his wounds, his friends were doing their best to cover his retreat. And this they thought would most effectually be secured by discharging a volley of mud at the head of his assailant. He was called "a foul-mouthed parson," "a libeller," and so forth. But all this time he was quietly occupying the field of battle and collecting his energies for another attack.

## CHAPTER XIV.

*Rapid Sale of First Letter to Mr. Canning. The sudden Change in that Statesman's Views. Dr. Phillpotts' Second Letter to him. An Unguarded Expression. The Attitude of the King in reference to the Roman Catholic Question. Mr. Canning's Accommodation of himself to the new Order of Things. Dr. Phillpotts' Remarks upon it. Reflections on the Rapidity of the Change. Mr. Canning's careless Treatment of the Coronation Oath. The Real Obligation of that Oath described. The Reason why Lord Kenyon gave Dr. Phillpotts the Letters of George III. Dr. Phillpotts not averse to Concession to the Roman Catholics with adequate Securities. The Idea of Securities ridiculed by Mr. Canning. Inconsistent with the Tone of his earlier Policy. A Comparison. Effect of Dr. Phillpotts' Two Letters to Mr. Canning. Their Tone. The Author vilified by Anonymous Writers.*



THE first Letter to Mr. Canning rapidly passed through several editions ; and it is said that Lord Lyndhurst, while Master of the Rolls, made very liberal use of it in one of the most brilliant speeches which he ever delivered in the House of Commons. The second and shorter Letter,\* dated May 7, 1827, was called for by the necessity of examining some of the leading points in the speeches delivered by Mr. Canning in Parliament since the publication of the former letter.

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\* "A Short Letter to the Right Hon. George Canning, on the Present Position of the Roman Catholic Question. By Rev. Henry Phillpotts, D.D., Rector of Stanhope."

In the course of a very few weeks that distinguished statesman had learnt the advantage of discretion, and the danger there would be in forcing the consciences of so many enlightened and religious Englishmen to accede to a measure from which they revolted. With these feelings in his mind, and with the desire of postponing the Roman Catholic question for the present, he somewhat incautiously spoke of a better day which would hereafter dawn, and expressed a hope that the present darkness would be succeeded by a light which would illuminate the prospect.

The opportunity afforded by this unguarded statement was not to be lost, and Dr. Phillpotts avails himself of it thus :—

“ Sir, I need not say that I am one of those who are involved in this darkness which you venture to predict will be so speedily dispelled. Our number is at present very large, and it is our pride, our boast, the theme of our grateful, heartfelt acknowledgment, that our Sovereign himself has been pleased expressly and solemnly to place himself at our head. With a firmness and determination worthy of the illustrious stock from which he is descended, with the frankness and manly candour becoming the King of a free people, with due veneration for that pure faith of which he is the hereditary and sworn defender, he has been pleased to allay every uncomfortable surmise, which the selection of you, as his chief minister, must otherwise have caused. He has voluntarily announced to the most exalted members of our hierarchy, for the information of their brethren, and through them of the people at large, that he is unalterably attached to the religion of his fathers—that he sees and will repel the danger which must follow the removal of those safeguards with which the wisdom of our ancestors (a phrase of which

I am not yet ashamed) has fenced and protected our Protestant Church—and that the oath which he took at his coronation has bound him for ever to reject every specious pretence of political expediency which may be urged to divert him from his purpose. I repeat that this assurance, so solemnly given, far more than counterbalances any apprehension which the apparent triumph of the cause of liberalism in several recent appointments would otherwise excite.”

The letter then goes on to congratulate Mr. Canning on the happy way in which he has been able to accommodate himself to the new order of things, and more particularly for his determination “not prematurely” to stir up the feelings of the people of England, since the object for which he had been so earnestly striving was, after all, merely “a *theoretic*, though essential good.”

“That this description contains some very sound and important meaning,” says Dr. Phillpotts, “I have not the smallest doubt; but it is probably a consequence of that thick darkness in which I am involved that I am unable to perceive how a merely ‘theoretic’ good can, at the same time, be ‘essential.’ I am still more unable to comprehend how that which we have often heard described by you as the greatest *practical* evil which can afflict the land, that which was ‘persecution’ two years ago, and ‘oppression’ two months ago, is now only a *theoretic* evil, which may well wait on your convenience for its cure.”

Then follows a brief review of Mr. Canning’s language and conduct on this question, for the purpose of showing the importance he attached to its speedy settlement. The retrospect does not reflect much credit on that statesman’s consistency.

Dr. Phillpotts next proceeds to comment on the abrupt and suspicious change which had taken place in Mr. Canning's sentiments relative to pressing the Roman Catholic claims upon the feelings of Englishmen. It would be difficult to cite a passage more thoroughly characteristic of the writer's peculiar vein than the following :—

“ Now all this, ‘ though I most powerfully and potently believe it,’ and though I cannot but think it infinitely wiser and more becoming an English statesman, than the violent, and (pardon me when I say it), almost inflammatory language and sentiment in which you indulged on the two immediately preceding discussions. Yet, I own, it excites my admiration. I admire, not that your uncommon vigour of intellect should improve every passing event, and turn it to the best account—not that you should grow wiser, as you grow older ; but that you should grow so very much wiser in so very short a space of time ;—above all, that you should, apparently without any effort, attain at once to that highest point of human wisdom, the power of knowing and acknowledging that you have been in error ; the capacity, in short, of eating up, at a single mouthful, every unwise or mischievous sentiment you may have expressed on a great question of national policy during half of your political life, and, after the most grievous and the wildest aberrations, should return to the very point of sober discretion from which you started fifteen years ago. This it is which chiefly excites my admiration, and which, in my humble opinion, places you quite alone among statesmen—far above all comparison with any of the vulgar herd of politicians of whom I have ever read or heard.”

After some observations on the rejection by the Roman Catholic prelates of the securities provided by

the Bill of 1813, which has already been referred to, Dr. Phillpotts takes Mr. Canning to task for the light and careless way in which he had spoken of the Coronation Oath, saying that its day was gone by, and taunting a member of the House of Commons with feeling an old-fashioned reverence for it. "I hope," he continued, "at least one bugbear is disposed of, and we shall hear no more of the Coronation Oath." Such language, proceeding from such a quarter, is shocking, and, if unrebuked, would have been productive of most serious mischief. The dignified reply of Dr. Phillpotts merits the gratitude of every religious mind. He shows wherein the obligatory nature of the Coronation Oath really consists; and it is hard to say whether the vigour of his language, or its intrepid honesty has the largest claim upon our admiration.

*"The Oath taken by the King is a purely personal act; it is an act between himself and God. To apply to it our little, convenient, political, or legal fictions—to talk of 'the omnipotence of Parliament,' as enabling it to annul, or dispense with, the oath of the Sovereign—to speak gravely of 'a keeper of the King's conscience'—to say that, as 'the King can do no wrong,' as all his questionable acts must be regarded as the acts of his Ministers, therefore they must direct him in such a case as this—would be more foolish even than it would be presumptuous. He might, and probably he would, communicate with those persons—whether his political Ministers, or others—on whose counsel he places most reliance, in an affair of so great spiritual and conscientious moment to him; but it would be the grossest insult to the Monarch, it would be degrading him from the rank of a moral being, to suppose that he would regard the advice of*

## 236 *Real Obligation of Coronation Oath.*

such counsellors, be they who they may, as acquitting him of the awful responsibility of acting in such a case on the deliberate determination of his own conscience. Every Sovereign, duly impressed with the solemn nature of the obligation of his oath, (as, thank God, our own gracious Sovereign has eminently proved himself to be,) would feel that that oath bound him, as he values the favour of God, and the promise of that 'crown immortal,' before which his earthly diadem fades into a worthless toy, to decide for himself whether the bill offered to his acceptance do indeed contain provisions at variance with one of the great and expressed objects of his oath, with 'the maintenance, *to the utmost of his power*, of the laws of God, the true profession of the Gospel, and the Protestant reformed religion established by law.' The Minister who should dare to tell his Sovereign that he is exempt from this duty, that he may act on the conscience of his Parliament, or of his Privy Council, instead of his own, in such a case—I will go no further, and will say, that the Minister who should dare to treat the Coronation Oath, in the presence of his Sovereign, with half the levity with which you have not thought it unbecoming to treat it in your place in Parliament, would bring on himself a responsibility which no honest man would incur for all that kings or parliament can give or take away."

It was in consequence of reading this very striking passage that Lord Kenyon confided to Dr. Phillpotts the letters of King George III, which will be referred to in their proper place. A little further on Dr. Phillpotts calls attention to the Treaty of Union with Scotland, which provides, that every King or Queen, at their coronation, shall take an oath to maintain and preserve inviolably the settlement of the Church of England as by law established, within the

kingdom of England and Ireland. He then continues :—

“Sir, when I read the terms in which this oath is conceived, it is to me a matter of high gratification, most certainly, but of no surprise, that a prince, alive to the most solemn of all obligations, should resolve, as our gracious Sovereign has resolved, never to concur in granting to his Roman Catholic subjects such concessions as they and their advocates in Parliament are accustomed to demand. If, indeed, such measures were proposed as the conscience of the Sovereign could regard as a real, fair, ample security, of the great objects to the maintenance and preservation of which he is bound by oath, the case would be different; and you would then have the assurance afforded by every act of his illustrious reign, that he would rejoice in extending an equal share of civil and political rights to all his subjects. But who is prepared to offer such securities? You, Sir, have been pleased to proclaim yourself ‘no security-grinder.’ You have said, in a tone of sneer and banter, which few of your hearers, and still fewer of your readers, have thought particularly appropriate to the occasion, ‘the task of finding securities to satisfy these over-scrupulous gentlemen is something like the task imposed on the prophet in the Bible, who was not only to find out the interpretation, but to guess at the dream.’ We all remember a person, some years ago, charged with intending to bring the Scriptures into contempt by his profane application of their language; and he procured an acquittal from the jury by adducing instances of similar irreverence (among others) from some of your juvenile productions. Are you desirous that a future Hone shall be able to cite in his defence the graver authority of your addresses to Parliament, at your present mature age, and in the character of Minister of the Crown?”

Dr. Phillpotts then shows how inconsistent was Mr. Canning's sneer about securities—that those who felt



the danger should find them—with the tone of his earlier and wiser policy :—

“ Sir, I need not tell you that this point was not mooted for the first time on the 7th of March last. Several years ago a speaker in your own House, of whom, in common with a large portion of my countrymen, I was then a warm admirer, made upon it the following very judicious remark :— ‘ Is it not a little extraordinary that Protestants should be expected to be of one mind as to granting everything to the (Roman) Catholics, when such a discordance of opinion reigns among the (Roman) Catholics themselves as to the terms on which such grant would be acceptable to them? *It has been argued rather whimsically, that the granting party should be prepared to offer terms to the petitioning party; but surely it is for those who seek a concession in their own favour to propose those means of security, and those terms of arrangement, without which, it is admitted on all hands, that concession could not be rationally made.*’ The speaker, of whose words I have here availed myself, is one with whom, if I may venture to judge from your most recent effusions, you are very far indeed from being on so good terms as your best friends could wish. It was the Right Hon. George Canning, of May 25, 1810, a gentleman from whose speeches, about that period, it would be easy to adduce arguments in direct contradiction to almost everything you have said on this subject during the last ten years, up to the epoch of your return to sounder views on the night of Tuesday last.”

That these letters should have had the effect of creating a profound impression throughout the country of the danger of further concession to the Roman Catholics, without adequate securities, there can be little marvel. They were eagerly bought and read; they were the theme of universal conversation, and they promised to bestow on their author a more than

transient fame. The marvellous ability with which he had mastered the intricacies of a measure that had exercised the most powerful intellects, and the concentration of analytical force which he was able to bring to bear upon the minutest questions that arose from it, surprised his friends and confounded his enemies. He was charged with having treated Mr. Canning with "scurrility;" but it may safely be affirmed that even in the most vehement passages of his letters he never held any language towards that lamented statesman which might not safely be used towards a public man on public affairs. It was easy enough for anonymous writers to vilify him, but it was not so easy to answer him. Proudly conscious, therefore, alike of the nobility of his cause, and the purity of his motives, he could feel that

"we must not stint  
Our necessary actions, in the fear  
To cope malicious censurers; which ever,  
As ravenous fishes, do a vessel follow,  
That is new trimm'd."

And plenty of this small fry were in his wake from this day forward. Few men have been more exposed to detraction than Dr. Phillpotts, and no part of his public career has been more relentlessly assailed than his conduct on the question of Roman Catholic relief. Whether he remained consistent to his principles, or whether, like Mr. Canning, whose apostacy he denounced, he first wavered and then fell, will be seen in its proper place.

## CHAPTER XV.

*The Letters of George III. to Lord Kenyon. Motives for their Publication under the Editorship of Dr. Phillpotts. His Judgment in publishing them much questioned. The Necessity of some Explanation. Dr. Phillpotts' Letter to an English Layman on the Coronation Oath. The Result of a Comparison of the various Forms of Coronation Oath. The Edinburgh Review on the Letters of George III. Remarks on the Conduct of Mr. Jeffrey. The King a Legislator. As such, he is bound by his Coronation Oath. Argument of Opponents, drawn from case of Charles I, refuted. The Oath not made to the People as represented by Parliament. The Commons excluded from the Coronation. The Clergy are Parties to this Oath. Use of this made by the Advocates of Roman Catholic Relief. Dr. Phillpotts the Panegyrist of William III. Popular Opinion that Pledges of Concession to the Roman Catholics were given at the Union. Its Falsity shown. Mr. Pitt's Conduct in reference to Roman Catholic Relief. Mr. Burke's Opinion on the same Subject. Dr. Phillpotts not averse to all Concession. The Necessity of adequate Securities. A Change of Sentiment charged upon him. Its Falsity. The far-sighted Policy of the Roman Catholic Clergy. Estimate of Dr. Phillpotts' Letter. Its General Tone.*



THE second Letter to Mr. Canning was followed almost immediately by another publication which bore the name of Dr. Phillpotts. This time, however, his labours were only editorial. Some important papers had passed between the late King, George III, and Lord Kenyon and Mr. Pitt, relative to the question of Roman Catholic relief. Lord Kenyon, who had formed a very high opinion of Dr. Phillpotts' talents

as a controversial writer, placed them in his hands, with authority to publish them in any way he thought proper. Conceiving that the perusal of these remarkable documents could only have the effect of increasing the veneration felt by the country for the single-minded, uncompromising, and conscientious regard of the obligation of his oath which the King had displayed, under circumstances of no ordinary difficulty, they were given to the world. The opinion of the late King on the question of Roman Catholic Emancipation was well known; but his subjects, as a general rule, were not aware of the pains which he had taken, and the conscientious anxiety which he had felt, to come to a right conclusion. Whether he was successful or not in the attainment of that object is not the question; but one result of the publication of his letters is to prove, if such proof were wanting, that the King was what has been justly called "the noblest work of God"—an honest man.

Another motive for the publication of these letters is to be found in the fact that they reflected the greatest credit on the inflexible integrity of Mr. Pitt, who preferred to sacrifice office, and peril the friendship of his Sovereign, rather than tarnish his honour or desert his principles.

These letters appeared on the 25th of May, 1827.\*

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\* "Letters from His late Majesty to the late Lord Kenyon, on the Coronation Oath, with his Lordship's Answers; and Letters of the Right Hon. William Pitt to His late Majesty, with His Majesty's Answers, previous to the Dissolution of the Ministry in 1801."

242 *Dr. Phillpotts' Letter to an English*

They are eleven in number, dating from March 7, 1795, to Feb. 13, 1801. It forms no part of the design of this work to enter into an examination of them, and they are only referred to on account of their having been put forth under the sanction of Dr. Phillpotts' name.

Whether he had acted with his usual sagacity in publishing these letters was a matter which was warmly debated. The advocates of Roman Catholic relief hailed their appearance as a triumph, affecting to see in them a vindication of the principles for which they were struggling, while even the adherents of Dr. Phillpotts were doubtful whether a grave error in judgment had not been committed. Many of his oldest friends began to regard him with disfavour, while some scrupled not to show their resentment by breaking off all intercourse with him. It seemed necessary, therefore, that some explanation of the grounds of publication should be offered. Dr. Phillpotts was not the man to refuse the call, more particularly when he felt that his discretion was not at fault, and his explanation assumed the form of *A Letter to an English Layman*,\* which was published early in the year 1828.

After a graceful tribute to the memory of Mr. Canning, he vindicates the position that the Church of

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\* "A Letter to an English Layman on the Coronation Oath, and His late Majesty's Correspondence with Lord Kenyon and Mr. Pitt, &c. By Rev. Henry Phillpotts, D.D., Rector of Stanhope."

England is an essential part of the British Constitution. This leads him to compare the various forms of Coronation Oaths which have been in use; and after showing at considerable length that security against Popery and the perpetual maintenance of the Church of England was an especial object of the alteration made in that Oath at the Revolution, he expresses himself as completely satisfied that no monarch, as sensible of the obligations of his oath as George III. was, could have done otherwise than reject every proposition for repealing the Test Laws.

The *Edinburgh Review* (June, 1827) had affected great delight at the publication of the Letters of George III. by Dr. Phillpotts, and had taken the opportunity of indulging in a most cruel attack upon the understanding of the late King. As the instrument by which those letters had been given to the world, Dr. Phillpotts naturally felt it to be his duty to vindicate the memory of one of the best of sovereigns from the malignant aspersions which had been cast upon it. This brought him once more face to face with his old antagonist Mr. Jeffrey. After referring to the claim of that gentleman to be considered as versed in the principles of the British Constitution, upon which he was so careful to impart instruction to his readers, he continues, in reference to his responsibility as editor of the Review,—

“ He will present himself to his admiring hearers, as one, who, calling himself a Briton, could yet find a gratification in insulting the memory of the Father of his people—as one,

who could lift the hoof of brutal insolence against the dead lion of the House of Brunswick—as one, who could avail himself (as he hoped) of a miserable disguise to outrage the feelings of this whole nation towards a King, beloved, honoured, and lamented, like George the Third. This shall be his high distinction ; and, if in the scorn of every truly English mind he can find nothing to abash or disconcert him, his sensibilities shall yet be excited, for I will make him feel that the publication which he has dared to put forth, is as unfounded in principle, and as contemptible in argument, as it is loathsome and detestable in spirit.”

Let any one read the next twenty pages of Dr. Phillpotts' Letter, and say whether he did not redeem his pledge. To give extracts would only spoil the harmony of the whole.

He next goes on to show that the office of the King is not merely *executive*, as the advocates of Roman Catholic relief wished to make out, but that he has real power as a *legislator*, and that, as such, he has an independent right to pronounce upon the fitness of any measure submitted for his acceptance by the Houses of Parliament. This appears from the very form of making statutes ; every new law being *enacted by the King*, by and with the advice and consent of his great council, the Parliament. “He enacts,” says Dr. Phillpotts, “by *willing* that their advice take effect ; he refuses his consent, by announcing his purpose of considering the matter with himself.”

The next point is that the King, as legislator, is bound by his Coronation Oath. The course adopted to prove this, although it displays Dr. Phillpotts' great historical research, can scarcely be made attractive to

the general reader. Suffice it to say that he shows, both by reason and by authority, the utter futility of the notion that "the Coronation Oath applies to the conduct of the King, in his *executive* capacity only, not as a branch of the legislature."

But it was alleged by the advocates of Roman Catholic relief that the Coronation Oath never prevented our princes from making such alterations in the laws affecting the Church, as on the whole they thought fit, and the case of Charles I. was cited, who gave his consent to a bill, which seriously curtailed the legitimate power of bishops, for the purpose of preventing the Church from sinking into absolute Presbyterianism. This was perfectly true. But it is equally true that nothing but the most extreme necessity could ever justify such an act.

"Whenever such a necessity shall again occur," says Dr. Phillpotts, "it will be for the King of England first to satisfy himself of its existence, and, if he be convinced that it really exists, to follow the dictates of the highest species of prudence, that master virtue which balances conflicting duties, and decides which, in the collision, is to be preferred; decides, however, not according to the shifting appearance of temporal expediency, but according to the eternal rules of truth and justice."

But, in order still further to evacuate the obligation of the Coronation Oath, a happy expedient was hit upon by Mr. Charles Butler, the old antagonist of Dr. Phillpotts, who maintained that it was "made *to the people*, as represented by Parliament." The fallacy of this is admirably shown by Dr. Phillpotts, who



points out that, in order to make Mr. Butler's argument worth anything, the Oath should be made to the people *only*. The circumstances, however, under which it is taken—before God's Altar, and under the sanction of Christ's Body and Blood—proclaim such an assumption to be wilful and criminal forgetfulness of Him by Whom Kings reign. "Where is the mortal legislature," indignantly demands Dr. Phillpotts, "that shall dare to abrogate this solemn vow?"

"But neither is this all," he proceeds—and this consideration deserves to be noted—"the Oath is, in part, taken not only in favour of, but also *to* another human party, besides the people at large—the Bishops and Clergy of the Church of England. These have an interest in the last clause of the Oath, which, whatever be the *power* of Parliament, it is certainly not within its moral competence to surrender."

As to the notion of the Coronation Oath being made to the people, *as represented in Parliament*, Dr. Phillpotts shows its utter futility. Parliament, he truly enough says, has nothing to do with the King's coronation: neither is there any reason why that ceremony should take place during the sitting, or even the existence, of Parliament. The peers assist at it, not as lords of Parliament, but as peers of the realm, while the House of Commons does not bear part in it at all. This was notably the case at the coronation of William III, when, according to Ralph, "the Commons, who had given his Majesty the crown, were not permitted to assist in putting it on." While the representatives of the people, however, are excluded from

the ceremony, the bishops have always borne a conspicuous part in it, a portion of the oath being taken to them. "It appears, therefore," says Dr. Phillpotts, "not only that it is not to the people, *as represented by Parliament*, that the oath is taken, but that a part of it is not taken to the people at all."

The fact of the clergy being parties to this oath did not escape the notice of the advocates of Roman Catholic relief; but, while some found it convenient to dissemble their knowledge of its existence, others, with more of ingenuity than honesty, tried to make it appear that the question of further concession depended mainly, if not entirely, on the consent of the bishops and clergy. It was a skilful change of tactics, and, under cover of this false attack, the Roman Catholics hoped to gain possession of the citadel. That they *did* ultimately gain possession of it was due in no small degree to the odium which they had so successfully stimulated against the clergy.

A little further on in the Letter, Dr. Phillpotts anticipates Lord Macaulay as the panegyrist of William III. It is doubtful whether that distinguished writer, in his zeal to re-animate the decaying corpse of Whiggism, ever indulged in more fulsome adulation than Dr. Phillpotts himself, when he describes William III. as "*one of the most conscientious Sovereigns that ever sat on the English throne!*" It is painful to find that, in his laudable vehemence against Papal aggression, Dr. Phillpotts should have allowed himself for a moment to forget incidents in the life of that monarch,

248 *No Concessions promised at Time of Union.*

which may be palliated by a "liberal" historian, but which can scarcely be associated, among upright men, with delicacy of conscience, or refinement of moral sense.

Reference has already been made, in an earlier part of this work, to a commonly-received belief that liberal concessions would be made to the Roman Catholics at the Union between Great Britain and Ireland. There were not wanting those who scrupled not to affirm that pledges of concession had been given. Mr. Butler, in particular, found it convenient to dilate in glowing terms upon the expectations which had thus been held out to his co-religionists. It may serve to show the remarkable ease with which hopes are excited in some minds, when it is said that not a single line occurs in any of Mr. Pitt's speeches which Roman sophistry can avail itself of as containing even the germ of such a pledge. That no concessions were promised is shown by Dr. Phillpotts, by a reference to the speeches of Mr. Fox, Mr. Pitt, and Lord Castlereagh, as well as the declaration of George III.

He then passes on to consider those portions of Mr. Pitt's letter to the King, dated January the 31<sup>st</sup>, 1801, which were claimed by the Roman Catholics as being favourable to their pretensions. It does not fall within the scope of this work to examine Mr. Pitt's conduct. If it did, it would be seen how little cause the Roman Catholics had to congratulate themselves upon their champion. The summing-up of the matter by Dr. Phillpotts, describing the vacillating policy pursued

towards Ireland, displays as much accuracy in thought as brilliance in composition :—

“Whether the practical difficulties attending the settlement of such a point would have been found too great even for Mr. Pitt to overcome, is a question into which it is not necessary now to enter. That these difficulties, great in themselves, have since his time become incalculably greater, is unhappily too manifest; nor does there appear the smallest reason to believe, had he been spared to his country to the present day, that, according to the principles uniformly proclaimed by him, he would now be found among the advocates for concession. It is true that he never would have endured that the mischief should have reached its present hideous magnitude without any attempt to keep it down; he never would have endured that the known laws of the land should be outraged with impunity—that they whose duty it was to execute and enforce those laws, should not only witness their violation with calm complacency, but should, even in their place in Parliament, themselves pronounce the most plausible excuse for past delinquency, and administer the strongest provocative to future excesses. Above all, he never would have endured that the majesty of British legislation should be made the scorn and laughing-stock of Irish demagogues—that an illegal association,\* put down by an express statute in one month, should, in the next, rear its brazen front without even the decent hypocrisy of a change of name—should beard Parliament with its insolent defiance, should raise a revenue for the purposes of seditious faction, should even make the shameless, but not the imprudent avowal (for confidence in such a case is strength), that the collection of this revenue is not merely a contribution for past or present charges, but a bond of union, and a pledge of future co-

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\* “The Irish Association,” often referred to in the course of this work.

## 250 *Mr. Burke and Roman Catholic Relief.*

operation—in the revolutionary jargon of the day, it is a means of organizing and affiliating the people. All this, I repeat, would not have been endured had Mr. Pitt still guided the helm of government—aye, or any one truly British statesman, who felt himself responsible in his own individual fame for the results of the policy which has been pursued. It was only when we were given over to divided councils and conflicting principles—worst of all, when the wretched system was adopted of compromising all difference of opinions by acting upon none—of banishing even the name of Ireland from the deliberations of our rulers—of putting off to ‘a convenient season’ the most perilous and urgent concerns of that distracted country—*stultâ dissimulatione, remedia potius malorum, quam mala, differentes*—it was only then that we reached the full maturity of our present evils—evils so great, that we can neither bear their pressure, nor endure their cure; but we go on from day to day, from year to year, seeking, by any wretched nostrum the quackery of the age can furnish, to palliate a corroding plague, which is fast eating to our very vitals.”

The conduct of Mr. Burke in reference to the question of Roman Catholic relief next passes in review, and Dr. Phillpotts maintains that, if that eminent statesman were then alive, he would be adverse to the Roman Catholic claims. The evidence which he adduces is most conclusive, and a debt of gratitude is due to him for rescuing this honoured name from an association which he would have been the first to disown.

The portion of the letter in which Dr. Phillpotts applies his preceding argument to the question of further concessions to the Roman Catholics is mainly valuable as showing that he was not averse to granting

*all* concessions, but that he thought that concessions, if granted, should be accompanied with the *most ample securities*. His language is clear and explicit, and shows that he was as thoroughly alive to the aggressive spirit of the Roman Church as he ever had been. It was afterwards said that the germs of his subsequent alleged change of opinion were to be discovered in this letter. But no assertion could be more groundless. It is true enough that, in common with most other thoughtful men, Dr. Phillpotts saw that the temporising policy of Parliament had made further concessions inevitable; but this was a very different thing from desiring that those concessions should be made without security or restriction. This was what the Roman Catholics had been aiming at throughout, and no one was more zealous in denouncing their machinations, and exposing the insolence of their pretensions than Dr. Phillpotts. This present letter, if more tedious than his earlier writings, is a proof of the steadfastness of his principles, and of the clearness with which he foresaw the impending danger.

The language of the Irish Roman Catholic clergy draws from Dr. Phillpotts a statement of their sentiments towards the Established Church, which entitles him to the thanks of every one who would shrink from seeing his country fall a victim to a tyranny too fearful to contemplate. Rightly enough does he describe their far-sighted policy, when he says,—

“With a vigilance that never sleeps, with an elasticity of hope, which no degree of pressure can ever wholly keep

down, with a passionate and anxious longing for the restoration of the power of their Church and of their order—they never omit a single occasion of serving that holy cause, and of preparing for what they confidently expect must one day happen, its signal and enduring triumph.”

Other topics are handled in this letter; but while they are always treated with ability, it must be confessed that they are somewhat foreign to the purpose. The letter is too diffuse. Written, however, as it was, one year before the fatal measure which gave to Roman Catholics the unrestricted enjoyment of civil privileges, it was natural enough that reference should be made to topics which might help to awaken the nation to the greatness of the peril. It would have been wise, however, if the dimensions of the letter had been curtailed. A volume of 100 pages would have answered all the purposes of one of 330. But if the letter is sometimes tedious, it is always candid and temperate. Facts are never perverted or overstated. The writing is clear, forcible, and manly, and every one must rise from the perusal of this volume with the conviction that the Author is as deeply versed in the constitutional law of the country as his other pamphlets have shown him to be in controversial theology.

## CHAPTER XVI.

*The Death of Lord Liverpool, and its Effect upon the Roman Catholic Question. Ministerial Difficulties. Mr. Canning appointed Premier. His Death. Lord Goderich's Administration. The Duke of Wellington forms a Cabinet. Repeal of the Test and Corporation Acts. Immediately followed by a Motion to remove Roman Catholic Disabilities. Alarming State of Ireland. Hostility of the Roman Catholics to the Administration of the Duke of Wellington. The Irish Association. Rumours of intended Concession to the Roman Catholics. Subject referred to in the King's Speech. Alarm and Indignation of the Country. Ministers denounced. The Plans of the Duke of Wellington too well laid to be successfully opposed. Conduct of the King. Effect of the Measure on his Title to the Throne. Views of the Supporters of it. Remarks of Mr. Brougham. Difficulty of the Position acknowledged by the Duke of Wellington. Mr. Peel's Motion for removing Roman Catholic Disabilities. Anxiety of the Public to hear the Debate. Passing of the Bill. Symptoms of Disaffection in the Cabinet. Dismissal of Sir Charles Wetherall. The Bill carried up to the Lords and passed. Scene in the House. The Royal Assent given. Conduct of the King. Termination of this Memorable Contest. Lord Eldon's Prophetic Words. Remarks upon the Passing of the Bill.*



UT while the Letters of Dr. Phillpotts were penetrating to the most distant parts of England, the hopes of the Roman Catholic party were stimulated by the illness and death of Lord Liverpool,\* who for nearly

\* He moved an address to the King on the death of the



254 *Mr. Canning appointed Premier.*

fifteen years had been prime minister, and had ever shown the most uncompromising opposition to their claims. A serious difficulty immediately arose. The Anti-Catholic part of the ministry would serve under no head who would not pledge himself to resist further concession, while the more "liberal" portion of the Cabinet, represented by Mr. Canning, insisted upon the nomination of a premier who was known to be favourable to the Roman Catholic claims. After much negotiation and delay, Mr. Canning was appointed prime minister, and the Duke of Wellington, Lord Eldon, Mr. Peel, and Lords Bathurst, Melville, and Westmoreland retired from the Cabinet. Others were introduced into their places who were mostly known to be favourable to Roman Catholic relief; and although they were not formally pledged to support any measure of concession, yet it was commonly felt that the Roman Catholic aspirations were never so likely to be gratified as now. It is probable enough that Mr. Canning would have devised some scheme of concession—although it may well be doubted whether he would have ventured to reproduce that bill which brought down upon it such withering sarcasm from Dr. Phillpotts—but his earthly labours were soon to cease. He was already stricken with the hand of death, and four months after his accession to office he expired at Chif-

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Duke of York, February 12, 1827, and a few days afterwards was seized with paralysis, which, although not fatal at the time, entirely prevented him from again attending to public business.

wick. Thus the "liberal party" was deprived of its leader, and the Roman Catholic cause of its champion. During the short tenure of office by Lord Goderich, who succeeded Mr. Canning, nothing was done. The changes were too rapid to admit of thought being given to any measure of importance, much less to one of such gigantic proportions as the Roman Catholic question had now become.

At the commencement of the year 1828 it became evident that Lord Goderich's ministry was expiring, and that it could not be galvanised into vitality enough even for it to meet Parliament, which was appointed to assemble on the 29th of January. The construction of a new ministry was therefore entrusted to the Duke of Wellington, and it was felt that the hopes of the Roman Catholic party were extinguished.

One of the earliest Acts of this session was the repeal of the Test and Corporation Acts which excluded Dissenters from offices of trust and power, and rendered them incapable of becoming members of any corporation, unless they consented to receive Holy Communion according to the ritual of the Church of England. The measure was introduced by Lord John Russell on the 26th of February, and became of great importance, as paving the way for the demand of further concessions by the Roman Catholics. This measure had ever been opposed by the greatest statesmen as revolutionary and destructive of the English Church established by law, nor will it be thought that

the danger was over-rated when a Dissenting minister of eminence had not scrupled to declare, in reference to the projected concession, that he had laid a train of gunpowder under the Church which would blow it up ; and another Dissenting minister had blessed God that he could depart in peace, as the revolution in France would lead to the destruction of all union between Church and State in England.

It was considered an ominous sign that the archbishops and most of the bishops declared themselves in favour of the bill, and the Roman Catholics took courage. Accordingly, the repeal of the Test and Corporation Acts was immediately followed by a motion to remove the remaining Roman Catholic Disabilities, and after a debate it was agreed, on the 16th of May, that a conference should be held with the House of Lords on the subject. This was held on the 19th ; and on the 9th of June the question was taken into consideration by the House of Peers. The debate lasted two days, and the motion was lost by a majority of forty-four.

Meanwhile the state of Ireland was such as to threaten the utter disruption of society in that country. In defiance of all law, Mr. O'Connell was returned as member for the county of Clare, and the Irish Association declared openly that it would do everything in its power to prevent the election of every candidate who would not oppose the administration of the Duke of Wellington. Nor were the operations of the Association confined to any particular locality. Munster

meetings were held in the provinces, and county and parochial clubs were organized.

Nor was this all. Arms were provided, and the rabble were drilled to military duties. Riots quickly ensued, and it was hard to say what would now satisfy Roman Catholic rapacity, or where the mischief would end.

It was under such circumstances as these that it began to be whispered at the clubs that the Cabinet had determined on concession; and on the 5th of February, 1829, when Parliament was opened, the Royal speech contained a paragraph recommending it "to review the laws which impose civil disabilities on His Majesty's Roman Catholic subjects." This was, indeed, preceded by a paragraph which directed attention to the misdeeds of the Irish Association, and called upon Parliament to assist his Majesty in enforcing the laws; but the Roman Catholics could well afford to put up with this affront upon their favourite institution, when, as Sir Joseph Yorke truly enough remarked, "the association had now nothing to do but to shut up its door; to put one of Bramah's best patent locks upon it, and to put the key somewhere where it would never be heard of again." This humorous suggestion was acceded to, and the Irish Association, after nine-and-twenty years of seditious agitation, closed its meetings not many days afterwards, with an harangue from O'Connell.

The King's speech fell on the country like a thunderbolt, for there had hitherto been nothing either

in the state of the question itself or the attitude of the ministers to justify such a sudden change of policy. People began to believe that there was some truth in the French saying, "*le vrai n'est pas toujours le vraisemblable.*" Thus, then, while the country was bracing its energies to offer a more resolute resistance to Roman Catholic aggression, than any which had yet been seen, the ministers were secretly betraying the cause which they had so long espoused, and to which they were so deeply pledged. No whisper of their treachery, however, was permitted to reach the public ear until the very eve of the assembling of Parliament, and their plans were by this time so skilfully arranged that success could not for a moment be doubtful. The Duke of Wellington was not the man to do a thing by halves.

The indignation of the country was extreme. It felt that it was betrayed by the very persons who had hitherto been the stoutest opponents of any change. The victory was secure before the battle had begun, and although meetings were held in all parts of the country, and the Houses of Parliament were deluged with petitions against further concession, it was felt that no amount of energy could counteract the mischief which was already done. The condition of the Anti-Catholic party at this time is well described by Lord Sidmouth.\* "For the first time in my life I am disheartened. We seem to be in a shattered boat,

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\* Pellew's "Life of Lord Sidmouth," vol. iii. p. 427.

and in a strange and agitated sea, without pilot, chart, or compass." The King too—although, to do him justice, he exhibited marked repugnance to the measure—was placed in a most painful and anomalous position, since the project of Emancipation was founded on assumptions which, if just, would have the effect of rendering much which was done in 1688, and the Act of Settlement on the Princess Sophia, and the heirs of her body *being Protestants*—the forfeiture of the Crown by conversion or marriage—altogether unjust; and, as Lord Eldon truly said, the ministers of the Crown, in advising him to consent to Emancipation, as it was asked, were in reality advising him to give his assent to a libel on his title to the throne.

It is only fair, however, to the promoters of the measure to say that they looked upon it as a political necessity. The maintenance of a Cabinet on the principle of continued resistance to Roman Catholic claims was, in their estimation, impossible. And nowhere was this better understood than on the opposition benches.

"I contend," said Mr. Brougham, "that there are no materials in existence for such a Cabinet. Supposing the right hon. gentleman opposite (Mr. Peel), unfortunately for his country, unfortunately for his own reputation, had continued to adhere to his opinion that the claims of the Catholics ought never to be listened to, he alone must have formed, of all the persons here—he alone, with the exception of one or two other individuals on the bench above him, and with the exception of one or two noble persons, members of a House to which it would be disorderly further to allude—he alone must have formed the Cabinet by which continual resistance could have been made to the settlement of the Catholic question."

## 262 *Relief Bill passed in the House of Lords.*

The rapidity with which this measure was hurried through the House of Commons may well excite astonishment, especially when it is remembered that it effected a greater change in the Constitution than anything which had taken place since the Revolution; but the Duke of Wellington, having once decided on concession, was too skilful a tactician to allow the country needless time for reflection. This was the more necessary from symptoms of lukewarmness, if not of actual disaffection, which had appeared in his own Cabinet; and it is not unworthy of remark that the passing of the bill was signalised by the dismissal of the Attorney-general (Sir Charles Wetherall) for having, in no measured terms of indignation, exposed the fatal policy of the Ministers, and denounced their apostacy.

On the 31st of March the bill was read a first time in the House of Lords. The debate on the second reading commenced on the 2nd of April, and, having lasted during that and the two following nights, was carried by a majority of 105. When the importance of the subject is remembered—being nothing less than a change in the Constitution of the country—the ability with which the arguments on either side were enforced, and the estimation in which the speakers were held by their respective parties, this debate may fairly be considered one of the most memorable in the annals of the nation. The third reading of the bill was moved by the Duke of Wellington on the 10th of April, when it was carried by a majority of ninety-

four, in the same House which, in the preceding year, had rejected a similar bill by a majority of forty-five. The House of Lords had never been so full since the Queen's trial. The space about the throne and below the bar was completely crowded, and the body of the House was filled with peers. All the Royal dukes were present, as was also Dr. Doyle, the Roman Catholic bishop, who had played so conspicuous a part in the agitation, and whose unscrupulous tactics had been so well exposed by Dr. Phillpotts in his Letters to Mr. Butler and Mr. Canning. Mr. Peel, also, was present, and remained in the House during the greater part of the debate. The Duke of Wellington, who was the idol of the hour, Lord Grey, and several other peers, were loudly cheered by the populace in Palace Yard.

The bill received the Royal assent on April the 13th. But this was given with no good grace. Opposition to such a measure had now become the traditional policy of the House of Brunswick, founded, no doubt, quite as much on political as religious considerations. If the protestations of George IV. are to be believed, he felt all the repugnance to concession which his father and his brother (the late Duke of York) had shown, and, in a conversation with Lord Eldon, after the passing of the measure,\* "he declared that he had been most harshly and cruelly treated—that he had been treated as a man whose consent had been asked

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\* Twiss's "Life of Lord Eldon," vol. iii. p. 84.



with a pistol pointed to his breast, or as obliged, if he did not give it, to leap down a five-pair-of-stairs window—what could he do? What had he to fall back upon?” He then went on to say,\*—“I am miserable, wretched; my situation is dreadful—nobody about me to advise with. If I do give my assent, I’ll go to the baths abroad, and from thence to Hanover. I’ll return no more to England—I’ll make no Roman Catholic peers—I will not do what this bill will enable me to do—I’ll return no more—let them get a Catholic king in Clarence. The people will see that I did not wish this.” But, in spite of all this, and more, the assent was given; not, indeed, by the King in person, but by a Commission, composed of Lords Lyndhurst, Bathurst, and Ellenborough. Very little interest was felt in the ceremony. There were scarcely enough members of the House of Commons present to attend the Speaker to the Upper House, and amongst them were no persons of distinction or consequence, except Sir G. Murray. On the Speaker’s return there were about twenty members on each side of the House; and, when he announced that the members had been in the House of Peers to hear the Royal assent given to the Roman Catholic Relief Bill, there was some cheering, in the midst of which a person in the side-gallery exclaimed, in an audible voice, “Alas! they know not what they do.” The measure, therefore, had now passed into law, and the only way in which

the King could soothe his wounded feelings was by showing marked incivility at the following *levée* to all who had voted for it.

Thus ended the memorable contest which had so long agitated the country from one end to the other, and the magnitude of which it would be difficult to exaggerate. It was the consciousness of the fatal concession which was being made that wrung from Lord Eldon the indignant declaration, that if he had a voice that would sound to the remotest corner of the Empire, he would re-echo the principle which he most firmly believed—that if ever a Roman Catholic was permitted to form part of the legislature of this country, or to hold any of the great executive offices of the Government, from that moment the sun of Great Britain would be set. In defiance of all remonstrance, however, and as if in derision of all prophetic forebodings, the measure was carried with a high hand; not, indeed, by its original promoters, but by those who had hitherto shown it the most uncompromising opposition. Thus, then, the Roman Catholic hopes were crowned with success. The greatness of their victory was the preface of still more unbounded triumphs. Time was when after the first concessions they were called ungrateful, because they asked for fresh ones. Scarcely a voice was then raised in their favour, and they themselves had hardly learnt to feel any confidence in their strength. By degrees, however, they became conscious of latent power; that power was fostered and matured by external sympathy; first of all they were pitied, then they

were listened to ; they quickly showed themselves no contemptible opponents ; they made themselves feared, and now behold them in their hour of victory ! Thus it was, then, that—" Roman Catholics were made members of that legislature, which, by their religious tenets, they pronounce to be impious and heretical ; governors of that people which they pronounce to be incapable of salvation ; arbiters of that civil and religious freedom which it is the first principle of Popery to extinguish in all kingdoms, and counsellors of that King whom Rome denounces as a revolter from its fealty and religion."\*

The course of events has been somewhat anticipated, in order to bring the Roman Catholic question to a conclusion ; and now it will be necessary to return to Dr. Phillpotts.

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\* Croly's " Life of George IV," p. 492.

## CHAPTER XVII.

*Dr. Phillpotts appointed Dean of Chester. Suit in the Ecclesiastical Court against one of the Prebendaries. Ability displayed by Dr. Phillpotts. Accused of having changed his Opinion on the Roman Catholic Question. Odium excited by the Charge. Article in the Edinburgh Review. The Falsity of its Allegations shown. Dr. Phillpotts not a Clerical Agitator. His Vote for Mr. Peel at the Oxford Election of 1829. Petition from the Dean and Chapter of Chester against Roman Catholic Relief Bill. Letter to Dr. Ellerton. Remarks of the Times. Motives which guided Dr. Phillpotts in voting for Mr. Peel. His Opinion on the Roman Catholic Question unchanged. Mr. Peel's Change of Sentiment. Hard to estimate it aright at the Time. Fury of the Clergy. Combination of High and Low Church against Mr. Peel. The Vote of Dr. Phillpotts given with pain. Estrangement from Old Friends. Mr. Peel's Rejection. Satire and Rude Caricatures. Specimen of Verses. The Conduct of Dr. Phillpotts in reference to the Roman Catholic Question in 1812. Not an Advocate for Entire Exclusion. Meeting of the Clergy and Resolution. His Amendment. His Views continued unchanged. Reason of the Malice of his Adversaries.*



AND now the labours of Dr. Phillpotts in resisting the claims of the Roman Catholics were about to receive a substantial and appropriate recognition. The Deanery of Chester having become vacant by the promotion of Dr. Coplestone to the See of Llandaff, that office was conferred upon him, and he was instituted to it on the 13th of May, 1828. He continued to hold it until his elevation to the Episcopal Bench in 1831. It was

remarked at the time of his installation that both in person and voice he very closely resembled a former dean, the Rev. Dr. Hodgson—afterwards Dean of Carlisle.

No incidents of local interest occurred while Dr. Phillpotts held the Deanery of Chester, except the conduct of a difficult and complicated suit carried on in the Ecclesiastical and Civil Courts against one of the prebendaries, who had leased away part of the land attached to his prebendal house for building purposes. This suit was commenced by Dr. Coplestone while Dean of Chester, and transmitted by him to his successor. The extreme acuteness and readiness of reply which were manifested by Dean Phillpotts, on some occasions on which he was suddenly called upon to give an immediate answer to difficult questions of law or logic at the chapter meetings, were long remembered. The suit, however, possesses no interest to the public.

It was while Dr. Phillpotts was Dean of Chester that the measure for the relief of Roman Catholics was carried ; \* and it was now that he was accused of having sacrificed the convictions of a life for the sake of a mitre, which was to be the price of his perfidy. The odium created by this charge has lasted till the present day ; common justice, therefore, demands that its truth or falsity should be established.

Among the many periodicals which from time to

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\* See page 262.

time have lent themselves to the propagation of this hideous charge, the *Edinburgh Review* may perhaps be ranked as the first, both from its extensive circulation and the credit of its writers. The opinions of this Journal, therefore, may well be allowed to do duty for the rest. In an article for 1852, the savage vindictiveness of which does as little credit to the heart of the writer, as its gigantic distortions do to his love of truth, the following occurs :—

"The Government which carried Catholic Emancipation was a Tory Government; and Tory statesmen naturally desired to avert the loss of that clerical support on which their power had so mainly depended; they knew the prejudices of the clergy, and felt how much they would be shocked by the passing of the measure; and they reasonably wished to secure the support of that one of its most prominent ecclesiastical opponents, who had *opposed it especially on religious grounds, and had most successfully enlisted clerical passions against it*. His conversion and his arguments, it was hoped, might convince, or at least silence many who hitherto had hung so fondly on his words. *Accordingly, the conversion of Dr. Phillpotts was effected at this critical juncture. He wrote in favour of the Bill, and he voted for the author of the Bill, at the memorable Oxford election of 1829.*"

Now, if these charges were true, Dr. Phillpotts would, indeed, have been all and more than his anonymous defamer had wished to make him out to be. But the writer allowed his spleen to carry him altogether out of the limits of truth, and having once fairly started in the congenial region of romance, a powerful fancy, stimulated by an atrabilious disposition and impetuous

temper, hurried him to lengths of invective which are happily unknown to less aspiring critics.

But false and cruel as these charges were, they claim a notice—more, however, for the sake of that distinguished Magazine which permitted its pages to be sullied by the calumny, than for his who could prostitute mental powers of no mean order for the sake of indulging a paltry spite.

It happens, then, that Dr. Phillpotts had *not* opposed the Roman Catholic Relief Bill, “especially on religious grounds,” in the sense imputed to him by the reviewer, nor had he “successfully enlisted clerical passions against it.”

The fact was that Mr. Canning and others had so blended the theological and political aspects of the question together that it was not easy to deal with one without the other. Nor was this confined to Parliament. Every tavern orator who dashed into the question imagined himself an Aquinas or a Luther as the Catholic or Protestant scale preponderated. Like the figure of Fortune, then, the question had two faces, the religious and civil, and so dexterously was the image turned about that you could not always tell which face it was that was looking at you. Both, moreover, had become so battered and dirty by ill-usage that the delusion was helped in this way. Meanwhile, as the figure revolved, the perpetual cry of its attendant priests was for “toleration;” a happily chosen word, as ambiguous as the responses of the oracle of old, and which might well do duty either for religion or politics, as need should arise.

Dr. Phillpotts was one of the first to see through this miserable trickery. But what could he do? There was the question in a hopeless tangle. Alexander himself might have found a difficulty in cutting the knot. If a host of speakers and writers persisted in thrusting forward *theological arguments* in favour of *political measures*, was Dr. Phillpotts to be blamed if he showed that their theology was about as profound as their pretension to political knowledge? The task was not one of his own seeking, neither was it an agreeable one. It was forced upon him; and to the last he viewed it as a hard necessity. Of all men living, however, he was probably the best qualified to perform it. With a quickness of perception and a steadiness of purpose which were absolutely marvellous, he threaded his way through the mazes of this dreary controversy. If his opponents, as in the case of Mr. C. Butler and Dr. Doyle, insisted upon throwing down the gauntlet of religious argument, he could not do less than stoop to take it up. But it was only to disarm a mischievous adversary, and not to constitute himself the leader of a clerical faction. If, then, the clergy learnt to respect his talents, Mr. Butler and the rest were to be thanked for having called forth their display. And there the matter ended; for he was not qualified to become the leader of his brethren. Largely as he could sympathize with them in their efforts against Roman Catholic aggression, yet widely did he differ from them as to the way in which that aggression was to be met. And this will presently be seen.



But if the charge of being a clerical agitator brought Dr. Phillpotts into discredit, the vote which he gave in favour of Mr. Peel at the memorable Oxford election of 1829, tended still more to inflame the prejudice which was already excited against him. Early in that year it began to be rumoured that he had seen reason to change his opinions on the question of Roman Catholic relief. The *Times* of February 3, gave publicity to this rumour, and spoke of the "spiteful dean who so maligned the illustrious Canning upon this very question," having "wheeled to the right about, as if by military command." He was also accused of being the author of the forthcoming bill. And yet at this very time a petition to Parliament was being prepared by the Dean and Chapter of Chester, bearing upon it evidence of Dr. Phillpotts' masterly pen, in which, in his character as dean, he protests against "the extravagant demands of the Roman Catholics of Ireland," and declares that "no scheme of securities has yet been brought forward which seems in any tolerable degree adequate to its professed object." Surely this was not the language of a man who had changed his principles, and was now ready to admit the Roman Catholics to civil privileges without any securities at all. The intimation of his intentions in reference to the forthcoming election is contained in the following letter to Dr. Ellerton, Tutor of Magdalene College, Oxford, dated the 20th of February, 1829:—

"Dear Sir, I have received the favour of your letter, containing the recorded judgment of many most respectable

members of the University of Oxford, that Mr. Peel is unfit to be 're-elected at the present crisis,' and inviting me to vote for Sir Robert Inglis.

"On every personal and public ground I rejoice at the selection of such a candidate by the opponents of Mr. Peel. Sir Robert Inglis is one of my best and most valued friends; a man of the highest character, and honourably distinguished by his zeal and ability in defence of our Protestant Constitution.

"But I am sure you will perceive that my vote, on this occasion, must be decided by one special consideration. Those with whom you act have, in a direct and manly manner, brought the matter to this issue,—'Is Mr. Peel unfit to be re-elected at the present crisis?' I do not think that he is. I will not, therefore, assist in cashiering him.

"And now let me trouble you with a few words respecting myself.

"You say, 'reports are circulated here (Oxford) in respect to a change of your opinions on a subject on which you have written so ably and so much. We are unwilling to give credit to such rumours.'

"I thank you, and whoever else joins you in this sentiment, for your unwillingness to give credit to anything which you may think discreditable to me. In the present instance, the rumours you refer to, as far as they have reached me, are either so vague as to be unintelligible to me, or, if they assume the shape of an allegation of facts, are absolutely false.

"As to my opinions, they remain unchanged; they accord with the spirit of my Letter to Mr. Canning, pages 158—164, and more especially with 'Application of the Argument,' in my Letter on the Coronation Oath, pages 176—180. If any of those who have done me the honour of reading these works have happened to attend to such parts only of them as fell in with their own preconceived opinions, it is rather hard that I should be made answerable for their inadvertence. Be this as it may, I have the gratification of knowing that

the most distinguished of the names in the printed papers you have sent to me are not in this error. They have stated (as I doubt not you have heard), in voluntary vindication of an absent and slandered friend, that my writings had prepared them to expect that I should be favourable to the adjustment of the Roman Catholic question, on terms compatible with the security of the Protestant Constitution.

“Whether the bill about to be brought into Parliament be of this character I do not know. If I shall deem it such (and I heartily wish I may see reason to do so), I shall not be deterred by clamour, in any quarter, from avowing my opinion; if otherwise, I shall not be backward in joining in any fit mode of expressing dissatisfaction.

“For the present, I content myself with citing to you, and to every one who may feel an interest in what concerns me, a single sentence (pages 179, 180), in my Letter, published last year on the Coronation Oath,—a sentence which Mr. Wilmot Horton has with very good reason publicly treated as an invitation (he himself calls it a challenge), to consider the matter of Securities on both sides:—

“‘In one word, then, see whether you (the Roman Catholics) can offer us any real and adequate Security for our Church, if the boon you ask be granted; or try to find *the Securities which we, on our part, may devise*, such as you can conscientiously accede to.’

“Whether the writer of this sentence can be justly charged with inconsistency, for now testifying, or acting upon, a wish, that adequate Securities may be proposed, is a question which I will not insult your understanding by asking you.

“You are at perfect liberty to consider this as a public Letter.

“I am, dear Sir,

“Your faithful Servant,

“HENRY PHILLPOTTS.”

That this letter should have been regarded as evidence of defection from a cause which he had served so long and so well, may reasonably excite astonishment in an unprejudiced mind. The *Times* of February 24, 1829, truly enough says:—

"For the future it can only be wilful and obstinate perverseness that would charge him with having been hostile to concession upon any terms; but unprejudiced men could never have fallen into that error, on reading the Letter to which we have alluded,\* if it had been conceived and written in a milder temper, and had treated the illustrious statesman (as he deserved) with respect. However, people may now abuse Dr. Phillpotts as they please for supporting Mr. Peel, if that be matter of reproach; but 'till they can rail the seal from off the bond,'—till they can obliterate what he has previously written—it *must be impudently and glaringly false in them to tax him with 'change of opinions.'*"

The motives which guided him in recording his vote in favour of Mr. Peel are supplied by Dr. Phillpotts himself in a letter to Sir Robert Inglis, written many years later:—

"It had been, and still is, the honourable distinction of the University of Oxford, when once it has elected a Representative in Parliament, to continue to him the undisturbed possession of his seat, unless he should forfeit the confidence of his constituents by some flagrant departure from the principles which ought to actuate public men. Upon this occasion, the question, which was to decide the votes of the electors, was not whether they approved the bill which had been passed, but whether Sir Robert Peel had, by introducing it, deserved to forfeit the confidence of his con-

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\* The First Letter to Mr. Canning.

stituents. It was my undoubting judgment that he had not, and I felt myself bound to vote for him accordingly, in opposition to the wishes and judgment of many whom I most valued. I knew (or believed on grounds as satisfactory as knowledge) that Sir Robert Peel had been brought to a conviction of the impossibility of any longer effectually resisting the demand for concession to the Roman Catholics. I knew that he had stated this his conviction to King George IV, and, having stated it, had entreated permission to resign his office—thinking it better for his Majesty's service that the measure should be carried by statesmen who had always supported it, than by those who had hitherto resisted it. I knew that the King had refused the permission which was asked, and had required that those ministers who had advised the necessity of concession, should themselves give him their services in effecting it. Sir Robert Peel, in yielding to his Sovereign's very reasonable demand, thought it right to give to his constituents an opportunity of declaring whether he had thereby forfeited their confidence. As one of these constituents, honouring the integrity with which I knew he had acted, I deemed it my very plain duty to testify that feeling by continuing to vote for him."

There is a manly tone about this statement which must commend itself to every unprejudiced mind. Voting for Mr. Peel did not necessarily entail any support of Roman Catholic claims. The opinion of Dr. Phillpotts on the great question of conferring upon Roman Catholics a share of the legislature, without exacting from them ample securities, remained unchanged, and the vote which he felt bound to record in favour of Mr. Peel did not affect it. That a change of sentiment had unhappily found favour with that distinguished statesman is known to every one, and

after a lapse of more than thirty years the motives which influenced his conduct can be accurately weighed and appreciated. But when men's passions were inflamed to a degree almost beyond precedent—when O'Connell was declaiming in the Rotunda at Dublin, and Moore was singing his patriotic songs in the drawing-rooms of the West End—when, in a word, a Roman Catholic fever of unprecedented virulence seemed to have seized upon the country, and was rapidly approaching its crisis, it was not easy—it was not possible—to do justice to this gifted man. Hence, many of the clergy, fresh from remote country parishes, were furious, and hastened up to Oxford to record their indignant votes against him. Never before, perhaps, was there so extraordinary an exhibition of the violent temper of partisans, as in the scene which then took place. High and Low Church forgot the differences of a lifetime in a coalition against the "Iscaiot of the age," for so Mr. Peel was somewhat profanely called. Living out of the world, as many of the clergy did, and justly meriting the reproach of Dr. Arnold,\* that they were wanting in acquired knowledge and impartiality, they were as yet unconscious of the tide of popular feeling which had set in so strongly. Dr. Phillpotts, however, and others like him, while they shrank from the idea of concession without securities, could yet honour the statesman,

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\* "The Christian Duty of granting the Claims of the Roman Catholics," &c.

## 278 *Painful Effects of Voting for Mr. Peel.*

who, unable to resist his convictions, had laid his office at the feet of his Sovereign. For eighteen years he had offered an uncompromising, but a temperate, fair, and constitutional resistance to making any further concessions to the Roman Catholics; it could have been no light motive, therefore, which impelled him to abandon principles of which he had for so long been the acknowledged and honoured champion. But what wonder is it that Mr. Peel should have succumbed to what he regarded as a stern necessity, when such a man as Lord Eldon, the hope and buttress of the old Tory party, could say on the eve of the measure being carried, "We shall fight respectably and honourably, but we shall be in a wretched minority; but what is most calamitous of all is, that the *Archbishops and several of the Bishops are against us.*"

It is only due to Dr. Phillpotts to say that the vote which he recorded upon this occasion gave him much pain, and caused an estrangement from old and valued friends,—a circumstance which may well recall the memory of more recent Oxford elections, when a statesman as distinguished as Mr. Peel, and once the cherished representative of the most Conservative body in England, saw his former supporters stand aloof, if not foremost in the opposing ranks. Ill must it be for him if he read not in the past the tokens of his future dismissal!

If anything could have added to the pain with which Dr. Phillpotts gave his vote, it was the fact that he found himself in opposition to his revered

friend Dr. Routh, President of Magdalene College, who nominated Sir Robert Inglis. But this was not all. He voted on the losing side, Mr. Peel having been rejected by a majority of 146, after a contest of three days, during which 1364 votes were polled. This position, agreeable at no time, was rendered doubly trying when rude satire and coarse invective were liberally employed to hold the hapless voter up to ridicule.

Thus, while Mr. Peel was figuring in a caricature which represented Canning emerging from a tomb, and pursuing him with the words, "I am avenged!" the booksellers' shops were crowded with prints of "the great rat," as Dr. Phillpotts was called, with more of Fescennine humour than truth. Squibs also, more or less highly seasoned to suit the public taste, were handed about from one common room to the other. The following specimen will suffice :—

" I saw a Bishop in a consternation  
Respecting a scrap of erroneous Latin,  
Thinking about ' a new translation,'  
And asking what was the Greek for ' ratting.'  
I saw a man with a shovel-hat,  
One who knows full well what's what ;  
' Sir,' he said, ' among my fancies  
I've been poring o'er S. Francis,  
And much light—much light—I've had ;  
Really 'tis not half so bad.  
Truly, Sir, I can't but feel  
(My respects to Mr. Peel),  
Oftentimes, dear Sir, and long  
I have done the Papists wrong ;



And I'll hasten to repair it,  
For I know not how to bear it."

But there is another charge against Dr. Phillpotts; that of having "most successfully enlisted clerical passions" against the bill for Roman Catholic relief. This has already been referred to.\* And here, again, he had much to complain of. So far from having assumed the character of a *clerical* agitator, for motives of worldly gain, as was pretty broadly hinted, he in reality *refused to take any part* in the petitions against the measure which were sent up to Parliament from his own Diocese. The great body of the clergy, in the excess of their fears, believed that the only security against the aggressions of the Roman Catholics was *entire exclusion* from civil privileges. Meetings in the several Archdeaconries and Rural Deaneries were hastily convened, and resolutions passed which often exhibited more zeal than discretion. But Dr. Phillpotts saw that the day for exclusion was past, and that all that remained was to exact such securities from the Roman Catholics as might ensure their loyal and peaceable behaviour. So long ago as the year 1812, when the Bishop of Durham (Dr. Barrington) had expressed a desire that a Petition should be presented to Parliament from the Clergy of his Diocese against the bill which Mr. Canning was about to introduce, Dr. Phillpotts told him, in the most straightforward manner, that his own opinion was in favour of concession *if accompanied by adequate securities*. A meeting was convened by

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\* See pages 270, 271.

the Archdeacon, and the petition having been moved and seconded, an amendment was proposed by Dr. Phillpotts, expressing confidence in Parliament that no such bill would receive its support, *unless due securities were provided for the Church*, and its permanent connection with the State. The amendment was carried.

That these views continued to actuate him will be seen from an examination of his letters to Earl Grey, and Mr. Butler, as also his more recent letter on the Coronation Oath. In each of these concessions is treated as possible—with the safeguard of sufficient securities.

And yet, in the face of this explicit declaration of his sentiments, his motives were traduced and his character for honesty was impugned. The truth is, his assailants had adopted so much of his writings as they saw fit, and eagerly thrust them forward as favouring their doctrine of entire exclusion. But when Dr. Phillpotts declared that such were not his views, and that he was not averse to an adjustment of the Roman Catholic question, provided that sufficient securities could be offered, their indignation knew no bounds, and they pretended to say that they had been betrayed. No charge could be more unfounded. Few men acted with consistency equal to that of Dr. Phillpotts, throughout the whole of this trying controversy, and no one had to make greater sacrifices to the sincerity of his convictions.

It will be necessary to return to this subject further on in this volume.

## CHAPTER XVIII.

*Dr. Phillpotts appointed Bishop of Exeter. His Election by the Chapter. Petition of the Inhabitants of Stanhope against that Living being held in commendam with the Bishopric. Great Excitement in the Country. The Petition considered. Stanhope had previously been held in commendam by three Prelates. Spoliation of the See of Exeter at the Reformation. Examples of Bishops of Exeter who had held Livings in commendam. If a Living were to be held with Bishopric, special reasons why it should be Stanhope. Dr. Phillpotts refused to accept the See of Exeter unless he were permitted to hold Stanhope. Sir James Graham's Notice of Motion. Change of Government. New Ministry refuse to allow Dr. Phillpotts to hold Stanhope. The Hardship confessed. Promise of Further Preferment. Manner in which the Arrangement was carried out. Petition of Clergy of Exeter against the Appointment of Dr. Phillpotts to that See. His alleged Change of Sentiment on the Roman Catholic Question. Exculpatory Statement by Sir H. Hardinge. The Charge revived by Lord Radnor. Appeal of the Bishop to the Duke of Wellington. His Grace's Reply, fully exculpating him from the Charge.*



AT the close of the following year, (1830,) Dr. Christopher Bethell, having been translated from Exeter to Bangor, the former See was offered to Dr. Phillpotts by the Duke of Wellington, and accepted by him. On the 11th of November the King was pleased to order a *congé d'élire* to pass the Great Seal, empowering the Dean and Chapter of Exeter to choose a bishop;

and on the 22nd of the same month Dr. Phillpotts was elected, the confirmation taking place on the 9th of December following.

But no sooner was it known that he was to be elevated to the Episcopal Bench than some of the inhabitants of Stanhope presented a petition to the King, praying that that important living might not be held *in commendam* with the distant See of Exeter. The movement was set on foot by a Mr. Rippon, who headed a small party of the most violent Anti-Church section of the parishioners that could be collected. Those were the days when it was easy enough to excite clamour against a clergyman, more particularly one so distinguished as Dr. Phillpotts. Hence it was that this otherwise insignificant memorial created great excitement in the country; and as Dr. Phillpotts' conduct was very severely canvassed, it will be well to take a dispassionate survey of the circumstances of the case.

The chief points in the petition of the inhabitants of Stanhope were—1st, That “the population of which the rector has the spiritual care consists of 12,000 inhabitants.” 2nd, That “he delegates the spiritual care of these 12,000 souls to a hireling.” 3rd, That “the parish pays him a tithe of 4000*l.* a-year, and therefore may claim the advantages of a resident rector.”

Supposing these allegations to have been true, it must be confessed that the people of Stanhope had good cause to complain. But, unfortunately for the credit of their petition, the memorialists had allowed their antipathy to Dr. Phillpotts to carry them into the

284     *Petition of Inhabitants of Stanhope.*

region of romance. Thus, the population was stated as 12,000, while the census preceding Dr. Phillpotts' appointment gave the number as 4600 less, and of the remainder nearly 5000 were not under the spiritual care of the Rector of Stanhope at all, but belonged to an ancient chapelry, which had its own minister, and its own endowment, and was in all respects an independent benefice. A second incumbency had recently been erected within the limits of that chapelry; and although the Rector of Stanhope had the right of presentation to these cures, yet they were wholly independent of him. This left Dr. Phillpotts with the charge of about 3000 souls, being 9000 less than stated in the memorial. After this mis-statement it might be thought to be scarcely worth while to investigate the other allegations, were it not to show the spirit in which the petition was conceived, and the amount of attention which was due to it.

The second point of the petition was that the rector "delegates the spiritual care of 12,000 inhabitants to a hireling." The object of this was to insinuate that Dr. Phillpotts was never resident on his benefice; than which nothing could be more untrue. Instead, however, of the charge being delegated "to a hireling," ~~two~~ two resident curates were employed, both of them men of education and high character. When his own services are added, it must be confessed that the spiritual wants of the people of Stanhope were not inadequately provided for.

The third point was that "the parish pays to the

rector a tithe of 4000*l.* per annum, and therefore has a right to the advantages of a resident rector." This allegation was as unfounded as the others, for, although the income of Stanhope was large, yet the sum paid by the parishioners to the rector did not exceed 600*l.* per annum !

The pecuniary calculations of the memorialists were, therefore, as much at fault as their statistics. The truth was that the bulk of the emoluments of the living arose from an ancient donation of the See of Durham, which conferred on the Rector of Stanhope a portion of the ore raised in the lead mines of the See situate within the parish. At the time of Dr. Phillpotts' appointment this amounted to about 3000*l.* per annum. The chief part of the income of Stanhope, therefore, was taken from *the revenues of the See of Durham*, and not from the tithe paid by the parishioners ; and since Stanhope was occasionally held *in commendam*, that See was made to contribute something from its princely revenue to a poorer bishopric. Whether this might not have been arranged in a way less likely to cause scandal is, of course, a serious question : but the fact remains. It was the *Bishop of Durham* who mainly contributed to the endowment of Stanhope, and not the *parishioners*, as was alleged.

Neither was it an unusual circumstance that Stanhope should be held *in commendam* with a bishopric. That living had been held in this way by three prelates who were the immediate predecessors of Dr. Phillpotts. Bishop Butler (the author of the *Ana-*

*logy*), who held it with the See of Bristol, Bishop Keene with the See of Chester, and Bishop Thurlow with the See of Lincoln. Now it is well known that the See of Exeter was spoiled of much of its revenue in the reigns of Edward VI. and Elizabeth, and although many people might be inclined to think that 2700*l.* a-year, with an episcopal palace, and a seat in the House of Lords, is a sufficient worldly provision for a follower of Him who had not where to lay His head; yet this idea does not seem to have found much favour with the Bishops of Exeter, for during this century three of them have held important livings in addition to their See. Bishop Courtenay was rector of S. George's Hanover Square, containing 43,936 inhabitants, as scandalous a case as any on record. Bishop Pelham held a parish in Suffex of 1907 inhabitants, while Dr. Bethell, the immediate predecessor of Dr. Phillpotts, held a living in the still more remote county of Yorkshire, containing 841 inhabitants. It was plain, then, that Dr. Phillpotts, in seeking to increase his episcopal income, was only following the example of his predecessors, and the people of Stanhope were no worse off than they had often been before. No doubt it is much to the disadvantage of any parish to be deprived of the superintendence of its rector, and it is a happy thing for the Church that the abuses of past generations are no longer possible. The complaints embodied in the petition of the people of Stanhope, however, were not borne out by fact. It would, indeed, have been a noble act, and one which in days

when it was the fashion to scoff at holy things, would have tended much to elevate his order in the eyes of the people, if the newly-elected Bishop of Exeter had declared his intention of claiming nothing but the revenues of his See. It would have been a proof, such as the multitude could understand, that when a man gave up a living of 4000*l.* a-year, besides a deanery, for a bishopric whose value was under 3000*l.*, there was something more intended by the Episcopal office than that it should open the door to opulence. On the other hand, it must be remembered that Dr. Phillpotts had at this time a large family growing up, and it would be a serious question with every prudent parent as to whether he were justified in accepting a dignity which at the same time deprived him of half his income. But if a living *was* to be held *in commendam* with the Bishopric of Exeter, there were special reasons why that living should be Stanhope. When Dr. Phillpotts was presented to that benefice he was required by the Bishop of Durham, who was the patron, to build a parsonage-house. The cost of this, together with a residence for the curates which was also built, amounted to 12,000*l.*, and this sum was not charged upon the living, but was defrayed by Dr. Phillpotts himself. It may, perhaps, be thought an excessive sum for the erection of a glebe house; but then the very largeness of the amount is a proof of the liberality with which Dr. Phillpotts dispensed his income. He might have died as soon as the house was completed, and then his successor would have been



provided with a noble residence without the living being burdened to the extent of a single penny. The fact, then, that he had sunk property in Stanhope, to the extent of about 600*l.* per annum, was a reasonable ground for requiring that if any living were to be held with his bishopric, that living should be Stanhope.

Nor must it be supposed that the desire to hold Stanhope *in commendam* with the See of Exeter was an afterthought on the part of Dr. Phillpotts. As soon as ever it was notified to him that it was the King's intention to raise him to the Episcopal Bench he stated, with the utmost openness, that he should be unable to accept the dignity, if he was not allowed to retain his living. His proposal was assented to, and he was informed that orders would be given to prepare the proper instruments to enable him to retain Stanhope, upon which he immediately accepted the offer of promotion. But before this arrangement could be carried out a change of government had occurred.

Meanwhile, the matter was brought before Parliament, and, on November the 10th, Sir R. Peel stated, in reply to a question from Mr. Beaumont, that it was the intention of government to allow the Bishop of Exeter to hold Stanhope *in commendam*. Upon this Sir James Graham gave notice that he should move an address to the King on the subject. The next night Lord Belgrave, on behalf of Dr. Phillpotts, requested the House to suspend their judgments on the matter until a future night, when a statement would

be made. Meanwhile, he hoped that these *ex parte* allegations which had appeared in the newspapers, and elsewhere, and to which it was evident that Dr. Phillpotts could not reply, might not be allowed to bias the judgments of those whose duty it would be to pronounce upon the case. On November the 22nd the promised statement was made in the House by Mr. Phillpotts, Member for Gloucester, the bishop's eldest brother, relative to Stanhope; and on December the 9th, in reply to a question by Mr. C. Wynne, Lord Althorp replied, on behalf of the new Government, that his Majesty's Ministers, upon finding a great objection prevailing throughout the country on the subject of the living of Stanhope being held *in commendam* with the See of Exeter, had felt it their duty to advise his Majesty to abstain from issuing the instruments required for that purpose. The truth was that Sir James Graham—who had a notice on the order-book of the House of a motion for an Address to the Crown praying that leave might not be granted to hold Stanhope *in commendam*—had now become a member of the new Cabinet; and this circumstance made it impossible to grant Dr. Phillpotts permission to hold the bishopric and the living together. On the other hand, it was represented by Dr. Phillpotts to Earl Grey, that, if permission to retain the living were withheld, the income of the See of Exeter would be totally inadequate to his wants.

The subject was referred to again on December the 15th, when Lord Althorp stated that, in the decision to

which the Government had come they were not actuated by any personal considerations towards Dr. Phillpotts, but that it was on public grounds alone that they had advised his Majesty not to allow the living of Stanhope to be held *in commendam*. They considered it a gross abuse to permit a living of such importance, and requiring the constant attention of the incumbent, to be held by a person who must necessarily reside at a distance. At the same time he was aware that a great hardship was inflicted on Dr. Phillpotts; for he had accepted the See of Exeter on the distinct understanding that he was to hold the living of Stanhope *in commendam*. Under these circumstances the Government had determined to add to the See of Exeter the first Church preferment in the gift of the Crown which fell vacant, and did not involve the cure of souls.

The arrangement cost Earl Grey some trouble. The question, however, was ultimately referred to the Bishop of Durham (Dr. Van Mildert), who offered the Rectory of Stanhope to the Rev. W. N. Darnell, a canon of the cathedral, and he, on his acceptance of it, resigned his stall in favour of Dr. Phillpotts. This preferment he has continued to hold, together with his bishopric, up to the present time, and his increasing years and infirmities do not prevent him from taking his regular turn of residence, and discharging the duties of his office with exemplary punctuality. The living of Shrobbrook, near Crediton, is also held by the bishop, it having been annexed to the See of Exeter on the death

of Dean Carey in 1680. The bishop never resides there, and the duties are performed by a curate.

But while the inhabitants of Stanhope were petitioning the King, and the newspapers were loud in their invectives against the bishop designate, a memorial was forwarded to Government, by some of the clergy of the diocese of Exeter, praying that the choice of Dr. Phillpotts might not be confirmed. Nothing but the most extreme case could be held to justify a step so unusual. Whether the Exeter clergy could plead this justification will be seen from the ground-work of their petition, which alleged a change of sentiment, on the part of Dr. Phillpotts, upon the question of Roman Catholic Emancipation, as the reason for their approaching the Throne. But it would have been wiser—and assuredly it would have saved an ever-recurring source of bitterness in days to come—if the petitioners had taken the trouble to satisfy themselves that Dr. Phillpotts really *had* changed his sentiments for the sake of a mitre. An examination of his writings would have convinced them that his sentiments were unaltered. It is true that he had voted for Mr. Peel; but was exclusion from the Episcopal Bench an appropriate punishment for such an offence? There were other considerations also which might have helped them to a right conclusion, for when the question of Stanhope was under discussion in the Commons, Sir H. Hardinge stated that he felt it his duty to mention circumstances attendant upon the promotion of Dr. Phillpotts. He

then proceeded to say that the Duke of Wellington, by whose authority he spoke, had communicated with Dr. Phillpotts on the subject of the Roman Catholic Relief Bill, and that Dr. Phillpotts, instead of being, as was generally supposed, an approver of that measure, had been in fact an opponent of it, up to the time when it passed. He also stated further, on the authority of the Archbishop of Canterbury, that it had been the intention of Lord Liverpool to raise Dr. Phillpotts to the Episcopal Bench. He also said that the Duke of Wellington made the usual communications to the Archbishop of Canterbury, and the Bishop of London, and that the noble duke received the assent of those prelates to the propriety of the appointment of Dr. Phillpotts to the See of Exeter. They had, indeed, said that the appointment might be unpopular in the Church ; but as the duke knew that the grounds on which Dr. Phillpotts was unpopular were altogether mistaken and unfounded, he felt that this could be no sufficient objection to the appointment.

It might be thought that this would have been sufficient to have secured Dr. Phillpotts against a repetition of those unmanly attacks to which he had been exposed. But once start a slander—no matter how improbable—and when it has gained possession of the public ear, no protestation of innocence on the part of its victim will ever be able to eradicate the mischief. Lucky for him if he does not carry the stigma to his grave ! This was pre-eminently the case with Dr. Phillpotts. He was

destined to fare no better than many a man as wife and great as he.

Although it is somewhat anticipating the course of events, it may not be out of place to refer to circumstances which led to a still more emphatic and complete vindication of his character. After he had taken his seat in Parliament, and some of the reforming lords had tasted his caustic eloquence, and found it little to their liking, it was thought convenient to rake up this charge of having changed his opinions. "Turncoat" is a name from which all men shrink, more particularly when that coat has been turned for gain; and if this epithet could only be fastened on the bishop, it would effect more against him than they could hope to do by a whole session of speeches. But it was not a pleasant sight to see a noble lord calmly reiterating, before his brother peers, a charge which had been publicly refuted months before on the authority of the Duke of Wellington himself. And yet on March the 22nd, 1831, the Earl of Radnor thought it not beneath him to revive the old slander. Fortunately, the Duke of Wellington happened to be present, and taking advantage of this, the Bishop of Exeter rose and said:—

"I do not mean to trespass long on the indulgence of your Lordships; and I must first return my thanks to the noble Earl who has made the insinuation or charge, as it affords me an opportunity, by the statement of a few facts, of giving it a plain, but, as I hope, satisfactory answer. What I am now about to say is known to one of your Lordships, and one who, if I err in my statement, can immediately contradict

me. I refer to the noble Duke (Wellington) lately at the head of his Majesty's Government, and I entreat that noble Duke, if I should in the least err in my statement, to contradict me. I suppose the noble Earl who made this charge concluded that I had pledged myself with the late administration to give my unqualified support to the Catholic question. On that question I have always held decided opinions, and I have always thought that concession should not be granted without being accompanied with strong securities. My opinions on that subject were well known. The noble Duke, when in office, had done me the honour to communicate with me on the subject, and, having stated his intention to propose a measure for the relief of the Catholics, had condescended to ask my opinion. I told the noble Duke the securities I thought necessary; and having ascertained, through the same channel, the determination of the Cabinet, I told the noble Duke that I entirely disapproved of the proposed measure, and in all my communications with the noble Duke I took the liberty of telling him that the proposed securities were inadequate. Having made this short statement, I again put it to the noble Duke, who alone knew of the communications, to contradict me, if what I have stated is incorrect."

The Duke of Wellington felt bound in justice to say that not one word had been uttered by the bishop which was not perfectly correct. He had been often surprised at the imputations which had been thrown out, and the injustice which had been done to the Right Rev. Prelate respecting circumstances which could not have been known to the public, nor indeed to any other person but themselves. For his own part, he could say that ever since the correspondence took place he had never mentioned it to any one, and he believed the Right Rev. Prelate had observed a similar reserve.

After a statement so open and explicit, it would be idle to say more in refutation of the calumny. Truth must at last prevail, and until discredit is thrown upon the honoured name of the Duke of Wellington, Dr. Phillpotts has the proud consciousness of feeling that he was elevated to the Episcopal Bench by a statesman whose views upon a great question of national policy he had the courage to oppose.



## CHAPTER XIX.

*Dr. Phillpotts consecrated Bishop of Exeter. Does Homage to the King. Arrival in Exeter. His Reception by the Mayor and Chamber. The Bishop's Reply to their Congratulations. His Installation. First Sermon at the Cathedral. The Living of Tregony. Collated to a Stall at Durham. Meeting of Parliament. The Bishop takes his Seat. His First Speech in the House of Lords. The Parish of Woodbury. The first Piece of Preferment at the disposal of the Bishop. Tour in Cornwall. Parliamentary Session. Arrives at Ilfracombe. Visits the Scilly Islands, and confirms there. Anniversary Meeting at Exeter of the Society for the Propagation of the Gospel in Foreign Parts. The Bishop's Speech. Increased Circulation of the Bible. Tranquil State of the Diocese. Lending Libraries. Condition of the Scilly Islands. King's Letter for the Society for the Propagation of the Gospel. Rumour of Reduction of Annual Grant to that Society.*



THE consecration of Dr. Phillpotts to the See of Exeter took place at the Archbishopal Chapel, Lambeth, on Sunday, the 2nd of January, 1831, the consecrating prelates being the Archbishop of Canterbury (Dr. Howley), the Bishop of London (Dr. Blomfield), and the Bishop of Llandaff (Dr. Coplestone). The sermon was preached by the Rev. J. Bartholomew, who afterwards became examining chaplain to the bishop. It was printed at the command of the archbishop.

Having done homage to the King at the Pavilion

*Bishop Phillpotts' Arrival in Exeter.* 297

at Brighton, the bishop very shortly afterwards set out for his distant diocese, arriving in Exeter on Monday the 10th of January. News of his coming had spread through the town and neighbourhood, and, in consequence of the circumstances attending his appointment, great anxiety was manifested to see him. His welcome, if not enthusiastic, was respectful. The children of the Episcopal Charity Schools were drawn up in line on the Heavitree road, and on the bishop's carriage making its appearance the senior boy came forward and delivered an appropriate address. The bishop was evidently much pleased; and after exchanging compliments with the citizens, who mustered in a strong body, he was escorted to the East-gate, where the mayor and chamber and many of the clergy were waiting to receive him at the house of the Rev. Dr. Collins, Head Master of the Grammar School. The mayor (Paul Meador, Esq.) then addressed the bishop, congratulating him on his advancement to the See, and expressing a hope that the good understanding which had so long subsisted between the Bishops of Exeter and the civil authorities of the city might continue unimpaired. The bishop, in an elegant and characteristic speech, thanked the mayor and the other members of the chamber for the reception they had given him. He had expected, he said, to meet with a kind congratulation from the chief magistrate on his arrival, but had not been prepared for so impressive an address as the mayor had just delivered. He was fully sensible of the importance of the dignity to which

he was now called. It was well known that among all the cities of England none was more justly renowned for its loyalty than Exeter ; and the kind expressions of congratulation which he had just heard led him to form the highest hopes for the future. The bishop again expressed his thanks for the kind manner in which he had been received, and was then introduced by the mayor to the other members of the chamber. A procession was then formed, which proceeded down High Street and through Broad-gate into the Clofe, where the bishop was met by the dignitaries of the cathedral, each of whom offered congratulations. The bishop did not enter the cathedral upon this occasion, in consequence of the official mandate not having arrived from London, but proceeded to the palace. He was installed on the following Friday. On the next Sunday (January the 16th) his lordship preached for the first time in the cathedral, from Matt. xiv. 1, 2 : " At that time Herod the tetrarch heard of the fame of Jesus, and said unto his servants, This is John the Baptist ; he is risen from the dead ; and therefore mighty works do show forth themselves in him." The text, which was taken from the second lesson for the day, was thought by many to be a singular one for the occasion, and the sermon contained no allusion to his recent appointment.

The first living to which the bishop instituted a clergyman (the Rev. J. L. Lugger), was Tregony, Cornwall, on the 19th of January, 1831. It is somewhat remarkable that the right of presenting to this living

is now the subject of protracted litigation between the bishop and the patron, the nominee of the latter having been refused institution by his lordship. Tregony, then, as is not unlikely, will be associated with the earliest and latest days of his episcopate.

On the following Sunday (January the 23rd) the bishop preached again in the cathedral, from Matt. xxi. 19, 20, the second lesson for the day; and it was generally thought that this sermon did more than the first to vindicate the high reputation which he had brought with him into the diocese.

It was in this month that the bishop was collated to a stall in Durham Cathedral, on the resignation of the Rev. W. N. Darnell.\*

Parliament having met on the 3rd of February, the bishop left Exeter on the 5th for Grosvenor Place, London, to assist in the business of the session. On the 7th he took the oaths and his seat in the House of Lords. He was introduced by the Bishop of Lincoln (Dr. John Kaye) and the Bishop of Llandaff (Dr. Edward Coplestone), and, after signing the Declaration, he took his seat on the bishops' bench, where he received the congratulations of the Lord Chancellor. After this it became his duty to read prayers in the House as junior bishop.

The first occasion of the bishop speaking in Parliament was on the 29th of March in this year (1831), upon a matter connected with his diocese. Lord King

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\* See page 290.

presented a petition from the parish of Woodbury, in Devonshire, complaining that, while 600*l.* a-year was levied in that parish, and appropriated to the Choral Fund of the Cathedral of Exeter, only 50*l.* was paid to the curate, who performed all the ecclesiastical duties in that parish. The bishop then briefly stated that he had no jurisdiction in the matter, as it was one of those cases in which the tithes were all in the hands of lay impropiators.

The history of the case is as follows. In 1205, Henry Marshal, Bishop of Exeter, having acquired from Abbot Jordan and the Convent of S. Michael in Normandy, the Church of S. Swithin in Woodbury, with all its appurtenances, he made it over to the choral vicars of the cathedral, in consideration of the fatigue which they had to undergo in performing the Divine Office by day and night, and of the smallness of their stipends—20*s.* per annum; 40*s.* per annum being reserved for the parochial incumbent, and 10*s.* for his clerk. This grant was confirmed by Bishop Brewer on the 28th of May, 1227, who was also a liberal benefactor to their body. Shortly after this, Reginald de Albemarra, knight, from the motive of charity, granted them the right of pasture for a certain number of beasts and cattle, throughout the whole of his land of Woodbury, except in the wood and garden, with some other perquisites and privileges.

The vicars choral are rectors of the parish, and used to exercise all jurisdiction. This ceased about fourteen years since. The resident clergyman was

*Bp. Phillpotts' First Piece of Preferment.* 301

accustomed to act under their mandate, and usually without episcopal licence. In 1832 the incumbent's income was raised from 50*l.* to 82*l.* per annum.\* It was subsequently augmented to 145*l.* per annum. Towards a parsonage-house the vicars choral gave a site, as well as some money. The rest was supplied by the indefatigable labour of the present excellent incumbent, the Rev. J. L. Fulford, who sunk a considerable sum of his private property in its erection, the total cost being 1700*l.* It is only due to the vicars choral of Exeter to say that they are unable to do what they could wish for the parish of Woodbury, on account of the insufficiency of their salaries. The fault does not lie with them, but with the Dean and Chapter.

The bishop does not appear to have taken any share in the parliamentary debates of this session.

On the 9th of May he conferred a stall in the cathedral on his chaplain, the Rev. John Bartholomew,† vacant by the death of the Rev. John Bradford Coplestone, the father of the Bishop of Llandaff. This was the first piece of preferment which fell to his disposal. On the 14th of the same month he arrived in Exeter from London, and preached on the following day (Sunday) to a very full congregation in the cathedral. His stay upon this occasion was of very short duration,

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\* This is referred to again in Chap. XXII.

† This gentleman, in addition to his canonry, is now Archdeacon of Barnstaple, and Rector of Morchard Bishop.

for on the Monday morning he left for Cornwall, on a visit to Archdeacon Sheepshanks, near Penryn. He remained in Cornwall for three weeks, inspecting many parishes and churches, and returning to Exeter on June the 9th. The next morning he left for London to attend to his duties in Parliament, which met on the 21st of June, after the dissolution. He did not speak at all during the session, and, on July the 2nd, he arrived with his family, by steam-packet from Clifton, at Ilfracombe, a romantic watering-place in the north of Devon, where he remained some weeks enjoying the sea-breezes, and making the acquaintance of the neighbouring clergy and gentry. During his sojourn he preached in the parish church, much to the delight of the good people of the district.

While staying at Ilfracombe, the bishop conferred the living of Rockbeare, near Exeter, on the Rev. Henry Nicholls (22nd of July), an old and much-respected clergyman of the diocese, who for many years had been Head Master of the Grammar School at Barnstaple. This appointment gave great satisfaction.

At the close of the following month (August 30), he paid an episcopal visit to the extreme boundary of his extensive diocese, arriving at Scilly, in H. M. S. *Hermes*, accompanied by his chaplain and the Archdeacons of Cornwall and Totnes. Immediately on landing he proceeded to the house of John Johns, Esq., agent to the Duke of Leeds, where apartments had been prepared for himself and his suite. After a short rest he proceeded to make a tour of the Islands,

visiting in turn S. Martin's, Tresco, and Bryer, inspecting the churches and schools in each place, and making very minute inquiries into the state of the Parishes. In the evening his lordship dined with a large party, including all the clergy, at the house of his liberal host, where taste and munificence were alike conspicuous. On the following day the bishop attended Divine Service at S. Mary's Church, and preached a most able and impressive sermon on Confirmation, on which occasion the church was crowded in every part, to a greater degree than was ever before witnessed. The appearance and solemn demeanour of the congregation, composed of persons from all the Islands, was pleasing in the extreme, and could not fail to afford satisfaction to their diocesan. About 250 persons received the sacred rite of Confirmation; shortly after which the bishop and suite proceeded to S. Agnes to inspect the school there, and in the evening he left Scilly for Plymouth, accompanied by the respectful attachment of all who had had access to him, and who looked forward to the probability of a future, though perhaps distant, visit, with feelings of unmingled satisfaction.

On his return from Scilly the bishop proceeded to Exeter for the purpose of attending the anniversary of the Societies for the Propagation of the Gospel in Foreign Parts, and for Promoting Christian Knowledge, which was held September the 15th. There was a special service in the cathedral, attended by the mayor and chamber; the sermon being preached by the



Rev. J. Barker, of Silverton, after which a collection was made amounting to 75*l*. The civic authorities then returned to the Guildhall, where the customary meeting took place, the bishop in the chair. After the Secretary's and Treasurer's Reports had been read, the bishop addressed the meeting; and as his speech embraces many topics of interest it will be well to give it entire.

“ Gentlemen, it is my duty to say a few words upon the Reports which I have just had the honour of reading to you,—and they will be very few words, for when I recollect the illustrious individuals who have preceded me in this chair, in support of these societies, I feel that it would be a most unjust intrusion upon your time, and a tax upon your patience, were I to detain you long. Still, however, I will say a few words. In the first place, then, in reference to the Report of the Committee of the Society for the Promotion of Christian Knowledge. Allow me to congratulate you upon the increased distribution of its tracts, and, above all, the enlarged circulation of its larger and most important works, I mean the Bible, the Testament, and Prayer-book, of which a larger portion than ordinary has been distributed during the past year—a year upon the success of which I most heartily congratulate you. Gentlemen, I am sorry to say that there has increased, in the course of last year, a spirit of insubordination and disaffection, which I am compelled to admit has been far too successful in many parts of England, to entice our people to fly not only from their duty to their earthly rulers, but almost to rise up in defiance of their God. I am pleased to be able to say that nothing of this kind has appeared in this Diocese—at least nothing has arisen which could at all approximate to that desperate state of things which we have had the melancholy task of witnessing in other parts. It is, Gentlemen, with proud satisfaction that

I heartily congratulate you upon it. May it please God that these two truly British counties may ever preserve the true British character, and be prevented from falling into that disgrace which has almost made our countrymen in other parts of England forget that they are so. Gentlemen, we must recollect, however, that whatever cause we have for congratulation in this particular, we can have little ground to hope that this occasion of congratulation will be continued to us if we do not use the proper and judicious means of forwarding these sentiments with the people; and I rejoice to find that this Committee have not confined their business merely to the circulation of religious tracts—that it has not confined its care merely to religious knowledge, but that it has promoted the general knowledge of the people also. I rejoice to find that *lending libraries* have been established in no less than seventy places in this county. I rejoice that while they have been largely supplied with religious works they have, by means of this Society, also been able to obtain a due portion of temporal knowledge. I venture to express the importance of extending these libraries to districts into which they have not yet been introduced. Gentlemen, there is one other remark which I will still take the liberty of making with reference to the Report of the ‘Society for the Promotion of Christian Knowledge,’—it tells us that it extends itself not merely through every part of England and Wales, but throughout every portion of Great Britain. Gentlemen, it has been my delight very recently to witness its operation in one of the remote parts of this diocese—a part which I mean to say is hardly recognized as belonging to England—and it is only in this way that I can reconcile it, that a cluster of islands in sight of the British shore, but which is also the immediate property of the British Government, as every inch of land is held from it, yet these islands have been left almost entirely to this Society, for the support of Christianity among their people. I am bound to state that, with one exception, I mean the island of S. Mary,

the largest and most populous—this is the case. In that island there is a minister—paid by his Grace the Duke of Leeds, who is lessee of the property under the crown. But he is the only one. In the five others, containing more souls but less means, not the smallest means of religious instruction is afforded by Government—but they have been freely afforded by this Society, which has been powerfully instrumental in the spread of true religion. Gentlemen, before I conclude upon this subject, I should deprive myself of a very pleasant duty if I did not bear the most faithful testimony to the readiness of the noble Earl at the head of his Majesty's Government to remedy this evil. As principal of this diocese, I took the liberty of informing him of the state of the Scilly Islands; and he most readily and promptly returned me an answer of his willingness and desire to know what was best to be done in order to remedy this evil. Having thus trespassed on your patience with reference to this Society, I would refrain from saying anything with reference to the other Society (for Propagating the Gospel in Foreign Parts), did not some circumstances imperatively call for a few remarks. Gentlemen, it has pleased his Majesty's Government in aid of that Society to issue a King's Letter empowering contributions to be made in every parish in the United Kingdom, and its cause to be advocated by every clergyman. I am quite sure, from what I know of my clergy, that they will in all cases exert themselves to the utmost; and I venture to hope that the zeal which they have invariably shown will have its due effect upon their flocks. Gentlemen, it will be obvious to you that this letter is of the utmost importance, and has become absolutely necessary, after what you have heard of the wants of this Society, which has stripped itself bare of its funded property, in order that there shall be no diminution of its usefulness. Gentlemen, will you suffer its streams to be dried up and its source to be exhausted?—it is impossible. Let but the loss be known, and Britain, I am sure, will make it up.

Gentlemen, on this subject I am bound to say something more about the Government of the country. It is true that this Government has shown its zeal by issuing this letter to the clergy; and I wish that this was all I had to allude to in respect to Government; but I lament to say that, while with one hand his Majesty has been advised to issue this letter,—on the other hand, if rumour does not deceive me, a rumour which I assure you I would not lightly allude to—but a rumour has reached me from authority, too sacred to doubt, that it is the intention of Government for the House of Commons to move for a very considerable reduction of the annual grant which, up to this year, it has been in the habit of giving this Society. It may not be known to you, but this is the fact, that religious instruction in Canada is chiefly given in this way:—when a district is clear and a church is built, the Society is ready to give 200*l.* a-year for a clergyman to settle there, and Government, as I conceive with only a just sense of what is due, has been hitherto in the habit of granting the sum, I think, of 15,000*l.* a-year in aid of this great object. I grieve to say that in these days of economy, the Government of this country—with a revenue of between fifty and sixty millions a-year—can think it too much to contribute that unimportant sum to the religious instruction of one of the most important colonies of the empire. Gentlemen, I do not stand here simply to state the fact; when I could uphold Government, I did it with conscientiousness and sincerity. What can be the right terms to apply to this conduct of Government, I will not say. But let us say with respect to Government, that it is by no means blind to its important duties. No! but it is so urged on every side to the necessity of economy that it is continually looking out for every means of reduction. Gentlemen, I cannot doubt but that Government would, in this particular, be glad if there were an expression of public feeling to keep the pruning knife from it. I think we should hear no more of this contemplated reduction, if a

considerable number of petitions were to be poured into the House, so that Government might have their hands strengthened upon this subject. Gentlemen, there is one more point:—the main exertions of this Society, large and most successful as they have been, bring with them a necessity for increased funds, and call for the increased exertions of those Englishmen who are not indifferent to the wants of their countrymen, whom necessity has deprived of a home and driven to seek for a place less sacred to their feelings than that which they have left. Surely, Gentlemen, it is right, for the sake of our own expatriated countrymen, and for those millions of our fellow subjects elsewhere, that we should be eager to procure them those blessings which the Gospel only can yield.”

## CHAPTER XX.

*The Bishop goes to London. Lord King's Motion on the Prescription Bill (Tithes). His Attack upon the Bench of Bishops. Followed by the Lord Chancellor. Excited State of the Country on the Subject of Reform. Menacing Language towards the House of Lords. The Reform Bill thrown out by the Lords. Outrages in the Provinces. Brutal Attack on the Marquis of Londonderry. Inflammatory Articles in the Public Prints. The Bishops the special Objects of Attack. Extract from the Times. Dauntless Conduct of the Bishop of Exeter. His Reply to Lord King's Attack. Earl Grey's insulting Rejoinder. The Bishop's Reply. Conclusion of the Discussion. The Bishop of Durham burnt in Effigy. The Bishop of London threatened. The Parish of Clerkenwell. Excited State of Exeter. Popular Agitators. Anticipated Riot. The Yeomanry Cavalry called out. Address of the Exeter Clerical Club presented to the Bishop.*



**S**HORTLY after this meeting the Bishop proceeded to London, where he appeared prominently for the first time in a Parliamentary Debate. On the occasion of two petitions being presented by Lord King (October the 11th), on the subject of the Prescription Bill (Tithes), the noble lord made some very severe and unjustifiable remarks in reference to the conduct of the clergy, charging them with being "arch-disturbers when their own interests were concerned, although under other circumstances they were adverse to all

change." Lord Suffield thought it not beneath him to adopt the same line, and roundly asserted that the bench of bishops were ready to support the Government of the country so long as it was arbitrary and oppressive, but that as soon as a liberal Government produced a measure for the benefit of the people at large, and for the extension and security of the liberties of the country, the bench deserted that administration, and threw all its power into the scale against it. Deplorable as this language is, it is still more painful to find the Lord Chancellor so far forgetting what was due to his high office, and the august assembly he was addressing, as to taunt those bishops who had recently voted against the Reform Bill, with the desire of "tripping the Government up." It may be difficult at the present day to estimate correctly the effect of such language, coming from such a quarter: but in those days it was no light matter. It must be borne in mind that Reform was the all-absorbing topic of the day. The bill, having passed the Commons on the 21st of September, was carried up, next day, to the Lords, by Lord John Russell, attended by about a hundred of its staunch supporters in the Lower House. It was read a first time, on the motion of Earl Grey, without any remark being made, and was directed to be read a second time on the 3rd of October. Meanwhile, measures were vigorously employed to intimidate the Peers into submission. Political unions, the press, and public agitators, rivalled one another in the loudness of their menaces.

"Let the Lords," said Colonel Torrens, "refuse this bill, *if they dare*. And if they do, dearly will they rue their obstinacy hereafter. You all remember the Sibyl's story. She presented her oracles to Tarquin and his court, and her oracles were rejected. She burned a portion, and again offered them; but they were again rejected. After diminishing their number still further, she once more returned; and the remaining volumes were gladly purchased at the price which she had originally demanded for the entire. We, however, mean to reverse the moral; for should the present bill be defeated, we shall bring their Lordships another bill, demanding a little more, and then, *should they still dare to resist the might and insult the majesty of the people of England*, which Heaven forefend! united as one man will we come forward with a Bill of Reform, in which their Lordships will find themselves inserted in Schedule A."

And these sentiments were received with favour! They were only too faithful an echo of the public voice. It was amid excitement, then, which can scarcely find a parallel in modern days, that Earl Grey, on Monday the 3rd of October, moved the second reading of the bill. The debate continued for five nights, and at a quarter past six on the morning of the 8th of October the bill was thrown out by a majority of forty-one.

And now the supporters of the measure were excited almost to frenzy, and it seemed likely that they would carry their worst denunciations into effect. In more than one instance the mob endeavoured to wreak their vengeance on persons whose sentiments were opposed to reform. At Derby the front of the mayor's house was demolished, several other houses were attacked by the



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mob, and the town-clerk received such severe injuries that it was for some time doubtful whether he would survive them. The town gaol was broken open, and all the prisoners liberated. The county prison was also attacked, and a severe conflict ensued between the constabulary and the mob. The soldiers were ultimately called out, and the riot was not suppressed until several lives had been lost. At Nottingham, among other lamentable excesses, the castle of the Duke of Newcastle was entirely destroyed by fire; while at Hastings placards of "Death or Liberty!" covered the walls.

As an evidence of the difficulties with which public men, who were obnoxious to the mob, were surrounded in the discharge of their duty, it may be enough to mention that the Marquis of Londonderry was assailed on the 10th of October (the day preceding the presentation of Lord King's petition) by a furious mob as he was going down to and returning from the House. They seized his cabriolet, endeavoured to drag him out of it, and one powerful ruffian struck him a violent blow with a stick. If the mob had succeeded in pulling him out of his cabriolet, there can be little doubt but that they would have murdered him. Fortunately, however, the horse sprang forward violently, and he escaped from the crowd. Such was the treatment which public men might expect who did not pander to the mob; and well for them if it was no worse.

But fierce as was the rabble, the press was fiercer; and it would be hard to find language to characterize

the inflammatory articles which appeared even in prints which laid some claim to moderation. The bishops were the favourite objects of attack. Two only of their number had voted in favour of the Reform Bill, viz. the Bishops of Chichester and Norwich, while of the rest twelve, including the Bishop of Exeter, were in their places, and gave their vote as "not-content," and nine voted against the measure by proxy. Nothing was spared to bring them and their office into contempt. All that falsehood, barbed by party spite, could do against them was done with an unsparing hand. The flood-gates of licentiousness were opened, and for a time it was doubtful whether the most venerable institutions of religion would not be swept away.

The following extract from the *Times* may serve to illustrate the language of intimidation which was so largely resorted to at this period :—

"Should the Bench of Bishops," it says, "be unhappily found averse to the reform of our political institutions; and, in the exercise of that hostility, should they blight the hopes of their countrymen, by adding to the votes against the bill just so many as may be sufficient to secure the defeat of it, while, had the measure been left to take its chance among the peers who are laymen, it would have passed into a law; should, we say, so terrible a disaster happen, what will be the position of the Church and of the prelacy?—what the feelings of the whole British Empire towards them? Oh! let the bishops be wise in time, and not realize, against our venerable Church, the only possible answer to that inauspicious question. The Socinian, the Papist, the Jew, are all in port, all exulting in their own increased security; but the Reformed Church of England will, by the unskilfulness or

obstinacy of her proper pilots, have been driven from her moorings in the hearts of the people, and exposed to a hurricane the like of which was never blown. 'It is the bishops,' will an exasperated nation cry—'*it is the bishops who have crushed our liberties, and destroyed us.* But for *them* we should have had a free Parliament, a responsible Government, and the downfall of an oppressive oligarchy. Our character is lost, and it is to the *anti-national spirit of the Church* we owe this grievous disappointment. **HOW SHALL WE FORGIVE THE CLERGY?'**"

Such was the menacing language held even before the Reform Bill was thrown out by the Lords; and it may well be supposed that the position of the bishops was not mended afterwards. But there were spirits among them which neither the lawlessness of the mob, the ribaldry of the press, nor the coarse invective of their brother peers could quell, and foremost among them stood the newly-created Bishop of Exeter. When the Bishops of London and Llandaff had indignantly hurled back the slanderous accusations which had been brought against them, the Bishop of Exeter rose, and delivered a few short but impressive sentences.

"He was wholly astonished," he said, "at the remarks which had been made on the motives of the reverend Bench from the highest quarters. Noble lords assumed the right to censure the body of bishops for the vote they had recently given. This censure came from those too, who, from their office and station, were bound to sustain the institutions of the country. He defied any noble lord to state a single instance in the history of the country when any members of that House had been so vilified and insulted as the bishops had been within the last week, by a person of the highest station in the realm. They had been accused of voting

against the Reform Bill because it was the measure of a Liberal Administration. Was this charge an instance of liberality? and did the members of his Majesty's Government by these remarks intend to incite and encourage violence? He did not apologize for his warmth; for he should be ashamed of himself if he could be cool upon such a subject. Had the attack upon the Bench of Bishops been made at a moment of excitement, to that excitement he would have submitted; but, upon the mere presentation of a petition, and that a petition of no consequence, one noble lord had abused the Church as the great arch-disturber of all order; and another noble lord had charged the bishops with being bound together in a conspiracy against the liberties of the country, and against all that could constitute the welfare and happiness of the people. These were the notions that were propagated everywhere against the Bench of Bishops; and noble lords had, moreover, spoken against them in that House in a tone of sarcasm, if not of direct and positive censure, as a body actuated by self-interest at variance with the public good. Under these circumstances he had thought it his duty to address their lordships."

The bishop's manly eloquence had done its work; and Earl Grey, who immediately rose, could so ill disguise his feelings of irritation as to charge him with having "uttered the most intemperate and unfounded insinuation that he had ever heard from any member of that House." It may be hard to justify such language as this; but the occasion demanded that so zealous a champion of the Episcopal Bench as the Bishop of Exeter promised to be should be crushed at once; and so, throwing all the indignation he could into his language—and that was not a little—the noble earl protested that the bishop was not merely contented

with *want of truth* in what he had said, "but had uttered it with all the appearance of a spirit that but little became the garment he wore. It was the grossest injustice he had ever heard." The noble lord concluded a speech, which does his temper little credit, by calling on the bishop to produce the proofs of what he had asserted.

The Bishop of Exeter being thus appealed to, rose and said, that—

"He was not unwilling to admit, that, although he had charged the excitement which existed against the Bench of Bishops throughout the country to the language which had been held in that House, he had not meant to bring any charge against the noble earl. He would now, however, proceed to prove the truth of what he had asserted. Irregular as it might be to refer to the debate that had recently taken place, yet, under the peculiar circumstances of his case, he hoped for the indulgence of their lordships in being allowed to refer to the proceedings in question. It must be within the recollection of every noble lord who heard him that in the first night of the debate upon the bill, the noble earl in stating the case to the House without any one thing to excite him from the Bench of Bishops had thought himself justified in calling upon the Bench seriously to take to mind what would be their condition in the country if there were to be found a narrow majority of lay lords against the bill, and if it were to be discovered that the bishops had voted with that narrow majority. The noble earl had put this in a way to show that he expected that the Bench would be induced by the fear of odium to vote with ministers. To call upon any one set of men—to call upon one of the great states of the realm as they were termed by the sages of the law, and by the law itself—to call upon them by way of a menace of popular indignation had the tendency—a tendency which the noble earl

perhaps little suspected—of exciting the odium of the people. Had not that odium been excited, and was not the Bench of Bishops exposed to its effects? The noble earl had assumed the character of a prophet, and had told the bishops ‘to set their houses in order.’ It was true that the noble earl did not conclude the sentence. He left that for themselves to do, but it was impossible not to know that he referred to where the prophet had threatened destruction. The noble earl in the same speech had taken special care to remind the Bench of Bishops that certain important questions were in agitation which might take the turn that would prove favourable or unfavourable, according to the conduct of the Bench on that night. What were these questions? Where were they in agitation, but in the councils of which the noble lord was at the head—he hoped so at least, for he hoped the noble earl did not delegate his superiority to inferior minds. If the noble lord meant that schemes of confiscation were contemplated—if the noble earl meant that the bold among the multitude would be encouraged, and that the multitude would be goaded on to more immediate execution—then he (the Bishop of Exeter) could indeed conceive that the conduct of the bishops that night might have the effect of driving the multitude to such purposes. Had he said anything but what the proofs he had adduced fully substantiated? The language of the noble earl had a tendency to implicate the prelates with the people, and to make them be regarded by the people throughout all the country as their foes. The people already pretty well echoed the noble Earl’s suggestions, for they read the debates, and the same language was repeated by the journals. The bishops were threatened to be driven from their stations because they did not vote for ministers—because for once they had thus voted upon the greatest question agitated since the Revolution when the bishops had acted in defiance of the Crown. Where would their Lordships have been but for the bishops at the Revolution? The present was the first occasion upon which the

Bench of Bishops had opposed the present ministers, and yet for opposing them this once they were charged with deserving all the mischief with which they had been threatened."

Earl Grey then asked the bishop why he had not made the serious charges he now brought forward, when the words he imputed to him were fresh in the recollection of the House, and when he could have made those charges in a regular manner. For his part he thought that the bishop's proofs corresponded very little with his assertions. He had charged his Majesty's ministers with having purposely done all in their power to encourage tumult and excite the mob to acts of popular violence.

Upon this the Bishop of Exeter said:—

"Most solemnly do I declare that I do not think I have used any such words. Upon my honour and conscience I did not use those words. I am quite sure that I never accused his Majesty's Government of exciting the people to outrage."

After some further remarks by Earl Grey, and a vindication of the conduct of the Bench of Bishops by the Duke of Wellington, the subject dropped.

It may well be supposed that when peers of the realm could be found ready to ascribe the most sordid and unworthy motives to the rulers of the Church, the multitude would not be slow to imitate their example. Henceforward bishops were to contend, as best they might, against peers, public, and press, an unholy Triad!

The fruits of this alliance were soon matured. The Bishop of Durham was burnt in effigy before

his own palace ; and the Bishop of London, who was advertised to preach at S. Anne's, Westminster, was warned by the parishioners that the whole congregation would quit the church at the moment of his ascending the pulpit. The *Times* truly enough said of this,—

“Such a proof of public antipathy towards the entire ‘order,’ whose conduct in the House of Lords was so conspicuous on the second reading of the Reform Bill is *without an example in modern history*, and is worth a whole library of comments.”

In the important parish of Clerkenwell also the following requisition was transmitted to the churchwardens :—

“*Wells without water.* We, the undersigned, inhabitants of the parish of Clerkenwell, most respectfully request the churchwardens, that, in consequence of the irreligious conduct of the bishops in respect to the Reform Bill, they (the bishops) shall not be again solicited to preach in the churches of this parish.”

Ridiculous as this memorial sounds at the present day, it was copied into provincial journals and received with great applause.

But nowhere did the noxious fruit come to maturity earlier than in the Diocese of Exeter. The plant had struck its roots in a congenial soil. The people of the West, among whom Cromwell, William of Orange, and Wesley had found their stoutest adherents, were easily brought to believe that bishops were enemies of progress, and the champions of a narrow faction, which desired to repress their energies and curtail their liberty. Never, so their agitators



told them, would the country breathe freely till every mitred head had been brought low, and the sooner churches were pulled down, and the parsons set to mend the roads with the stones, the sooner would England be great and free. More of the same sort was said, and much of it was unhappily believed. And so, before the Bishop of Exeter returned to his cathedral city, a strong party had been formed against him, and at a large reform meeting three groans were called for and given with every indication of bitterness at the mention of his lordship's name. And what made things worse was that people whose position and education should have taught them better were not ashamed to mingle their voices with the shouts of the rabble. It was thought that the bishop would have been burnt in effigy. No such scandal, however, took place for the present; but as the annual Saturnalia of the 5th of November came round, it was feared that the mob would indulge in more than its wonted excesses, and that a riot would take place. So active were the leaders, and so serious was the danger considered, that the mayor proceeded to swear in a large number of special constables, and Lord Ebrington attended as the Vice-Lieutenant, to command the yeomanry cavalry, who were hastily called out, and who were kept under arms the greater part of the night. This force, however, was with commendable prudence kept in reserve, but the knowledge that it was close at hand exercised a most salutary effect, for no serious demonstration was attempted.

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But while "the great liberal party," as it was styled, were thus disporting themselves at the expense of their bishop, whose only offence was that he had dared to give an independent vote, and had assisted the House of Peers in maintaining its rights as an independent part of the constitution, the clergy were not slow to recognize his services. At the monthly meeting of the Exeter Clerical Club, October 25th, it was unanimously resolved that a vote of thanks should be offered to the bishop of the diocese for the eloquent and manly part which he had taken in the debate in the House of Lords on the 11th of October. *Laudatur ab his, culpatur ab illis*; and no doubt the bishop knew whose approval was worth the most.

## CHAPTER XXI.

*The Return of the Bishop to Exeter. Anniversary of the Devon and Exeter Central Schools. Service at the Cathedral, and Sermon by the Bishop. Meeting at the Guildhall. The Bishop's Speech. His First Ordination. Neglect of Ember Seasons. Attention to the Affairs of his Diocese. Presentation of his Eldest Son to a Living. Dispute with the Parishioners of Stoke Damerel, Devonport, about a Burial-ground. Dr. Lushington consulted. A Vestry Meeting of the Parishioners. Libellous Resolutions passed. The Bishop applies to Court of King's Bench. A Rule obtained to show Cause why a Criminal Information should not be filed against the Chairman. Arguments of Counsel against the Rule. It is made absolute.*



WEEK before the prorogation of Parliament, which took place on the 20th of October, the bishop returned to Exeter, and on the following Thursday was present at the Anniversary of the Devon and Exeter Central Schools. The children educated at these schools, headed by the mayor and civic authorities, and accompanied by many of the clergy, walked in procession to the cathedral, where Divine Service was performed and a most eloquent and impressive sermon preached by the bishop, his text being taken from 1 Pet. iv. 10, "As every man hath received the gift,

even so minister the same one to another, as good stewards of the manifold grace of God." At the conclusion of the service a collection was made at the door, amounting to 6*l.* 18*s.* 8*d.*, a larger amount than had been collected for many years before, but a pitiful sum enough as compared with what the same class of people will spend on a more congenial concert, or archery meeting. It furnished ground for congratulation, however, and as everybody was pleased it would be out of place to do more than record the fact. In the course of the day a meeting was held in the Guildhall, the bishop in the chair. After the report had been read and the usual resolutions proposed and agreed to, Sir T. D. Acland rose, and proposed a vote of thanks to the bishop for the excellent discourse with which he had favoured them that morning, conveying, in the most complimentary terms, a desire that his lordship would step beyond the direct terms of the motion, and cause it to be printed.

Dr. MacGowan seconded the motion, which, having been put by the mayor, was carried with three hearty rounds of applause. The bishop then rose, and, as soon as he could obtain a hearing, said :—

"Mr. Mayor, I assure you I should most consult my own inclination if I were simply to return thanks to you, and this most respectable meeting, for the high honour you have done me. But I feel it would be most widely departing from the singular example of kindness which has been shown me this  
"I were to do so. I may be permitted to say, without  
ion, that my efforts are unworthy of the acknow-  
ment you have made—utterly unworthy, when com-

pared with the silent, unpretending, and useful exertions which are made every day by those who have discharged the duties of sustaining these schools by the good effects of their control and supervision. Gentlemen, it is an easy matter for a man to sit down in his study, and put on paper those sentiments which every one must feel in the performance of a great Christian duty: to one whose disposition through life has been to be employed in such matters, it requires little effort to write upon such a subject as this. But I will go further. I will say that it is conferring upon him the highest pleasure to be called upon to advocate the cause of an institution like this. But, Gentlemen, I had my share of satisfaction in knowing that, whilst I was advocating the cause, I had a far more powerful advocate in the hearts of those who heard me. I know that in this place every hand will always be open to sustain so good a cause. Little ground, therefore, have I to claim thanks for the small services which I have rendered; but you, Gentlemen, have largely to claim my gratitude, for the very honourable mode in which you have been pleased to express yourselves of my services."

In seconding the vote of thanks proposed by Archdeacon Moore to the mayor and chamber for the use of the Guildhall, and their patronage of the Society, the Bishop said:—

"I have great pleasure in seconding the motion. I must be permitted to say, that no one feels more strongly than I do the important benefit of the co-operation of that distinguished body. And I really believe—I say it not in flattery—that in no city or town in England can it be said with more truth—I wish it could be said with as much truth in all—that the civic authorities are anxious on all occasions to record their testimony, and give their authority to the support of the Gospel, which they are well aware is their own best support."

After a vote of thanks to his lordship for his excellent conduct in the chair, the meeting separated, much delighted at the courtesy of the bishop, and the success of the day's proceedings.

On the following Sunday (October the 23rd) the bishop held his first Ordination in the Cathedral Church of S. Peter at Exeter. Upon this occasion there were fifteen deacons and sixteen priests ordained, among the latter the bishop's eldest son. It is to be regretted that the primary Ordination of so eminent a prelate should be associated with an irregularity—the neglect of the Ember Season. But, whatever may have been his earlier practice, no bishop is now more careful to observe the seasons appointed by the Church for the solemn purpose of choosing and sending labourers into the Lord's vineyard.

During the whole of the next month, November, the bishop devoted himself with great assiduity to the duties of his diocese, receiving visits from his clergy, and preaching in the churches of the city and neighbourhood. On the 4th of this month he presented his eldest son, the Rev. William John Phillpotts,\* to the vicarage of Lelant Uny with Towednack, Cornwall, twelve days after his ordination.

About this time the bishop became involved in a dispute with the parishioners of Stoke Damerel, the

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\* This gentleman is now Chancellor of the Diocese of Exeter, Archdeacon of Cornwall, Prebendary of the Cathedral, and Vicar of S. Gluvias with Budock, Cornwall. The date of his appointments will be given as they occur.

mother church of Devonport. It appears that, in the year 1811, the churchyard of the parish being found too small to meet the mortality of the place, Sir John St. Aubyn, the lord of the manor, consented to give a piece of ground for the purpose of adding to the churchyard, in furtherance of which he conveyed the ground in question to the parishioners for 5,000 years. Thus matters stood till the autumn of the year 1831, when it was found necessary still further to enlarge the burial-ground; and application was made to the lord of the manor, who again consented to meet the wishes of the parishioners. But, on inquiry, the deed of 1811, which conveyed the ground to the parishioners, could not be found. It was either lost or destroyed, and, after deliberation, it was thought to be the safer course to obtain a renewal of the old deed. It was necessary that the diocesan should be a party to the conveyance, under an Act of Parliament of 43rd George III, and application was made to him for his consent. The bishop replied that he had no interest in the matter, and would act in it as he might be advised to act by Dr. Lushington, upon a case to be submitted to that learned civilian. A case was accordingly laid before Dr. Lushington, without whose advice the bishop would not depart from the ordinary rule. That learned gentleman was of opinion that the transaction would not be legal, unless the ground were conveyed to the *incumbent*, and his successors, instead of the *parishioners*. A second case, however, was laid before Dr. Lushington, in which the bishop, after

setting out facts, stated that he did not inquire whether he had the power to give or withhold his sanction from the proceedings, but that he wished to ask whether, under all the circumstances, Dr. Lushington would advise him to interfere one way or the other. The answer was such that the bishop deemed it right to decline any interference. On this being made known to the parishioners, a case was directed by them to be laid before Dr. Lushington, who, on perusal of it, gave his opinion that, though in strict law the conveyance ought to be to the *incumbent*, yet, as the original deed, which had received the sanction of a former bishop, had conveyed the ground to the *parishioners*, and as, on the faith of that deed, burials had taken place there for a number of years, the equity of the case required that the new deed should be drawn up in conformity with the purport of that which was lost. The gentleman who acted on behalf of the parishioners presented this opinion for the Bishop's perusal; but he declined to pay any attention to it. "I will not look," he very properly said, "at an opinion given on a statement of facts not previously submitted to me for consideration." He added that, if the parishioners had any new facts to lay before him, he would consider them, and act accordingly. He also declared his entire willingness to abide by the advice of Dr. Lushington. Upon this the inhabitants of Stoke Damerel held a meeting in vestry, when resolutions were passed highly derogatory to the bishop, and such as made him feel that he was called upon to apply to the Court of



King's Bench to vindicate his character. The vestry meeting took place on the 19th of October, and the following resolutions were agreed to, Mr. Clouter being in the chair :—

“Resolved,—That the meeting cannot but regret, from the statement made by Mr. Rodd, that the Bishop of Exeter should so far have forgotten himself as to deny to the parishioners that justice which they have a right to demand at his hands—viz. his sanction to the deed of conveyance. The parishioners cannot reprobate such conduct in language too strong.

“Resolved,—That the utmost censure be conveyed to the Bishop for such his dishonourable and degrading conduct.”

These resolutions were signed by the Churchwarden, as chairman of the meeting; and it was ordered that they should be entered on the parish books, and be printed and published in the *Devonport Telegraph*, and in a Plymouth journal.

Application on behalf of the bishop was made to the Court of King's Bench, at sittings in Banco, on Friday, Nov. 25, by the Attorney-general, when a rule to show cause why a criminal information should not be filed against John Clouter was granted.

On Monday, January 30, in the following year, Mr. Campbell appeared to show cause against the rule. He contended that the defendant could not be held liable, as from the nature of the situation in which he was placed he was prevented from interfering in the business of the meeting. On the contrary, he was opposed to the resolutions, and had refused to sign them. The learned gentleman then went at great

length into the circumstances which had led to the meeting, at which the resolutions had been adopted, with a view to show that great excitement prevailed in the district from the refusal of the bishop to consecrate the burial-ground. The Attorney-general and Sir James Scarlett supported the rule, and stated that the bishop had refused to consecrate the ground under the opinion of Dr. Lushington. The Court were unanimously of opinion that nothing could justify the language complained of by the bishop, and directed the rule to be made absolute.

The proceedings of the bishop in this case created much ill-feeling against him throughout the diocese. Considering the unpopularity of his appointment, it would no doubt have been wiser to have taken no notice of Mr. Clouter or his resolutions; but the bishop may have thought it more prudent at once to crush the rising evil, and awe his adversaries into silence, if not into approval of his conduct, by the strong arm of the law.

## CHAPTER XXII.

*The Reform Bill. Impatience of the Country. Second Reading of the Bill in the Commons. The Bishop remains at Exeter. Freedom of the City presented to him. End of the first Year of his Episcopate. Opening of the Year 1832. The Reform Question. Bill carried in the Commons. The Ministerial Plan of Education for Ireland. Dissatisfaction of the Roman Catholics. The Kildare Street Society. Agitation in Ireland. Seditious Address of one of the Leaders. Infatuation of English Statesmen. Real Object of the Agitators to exclude Religious Instruction from Schools. The Rhemish and Douay Versions of the Scriptures. Feeling of the Authorities in Rome in reference to the Educational System in Ireland. Circular Letter from the Pope. Effect of it upon the People of Ireland. Neglect and Ignorance of the Scriptures in that Country. Infamous Treatment of them. Indignation of the Episcopal Bench at the Conduct of Government. Conduct of the Bishop of Exeter. His Forebodings of the Mischievous Consequences of the Bill. His Speech in the House of Lords. Effect of it. Lord Radnor's Remarks upon the Bishop. Lord King refers again to the Parish of Woodbury. The Bishop's Explanations.*



ND now it will be necessary to return once more to the subject of Reform. The Parliament, which had been prorogued on the 20th of October, 1831, assembled again on the 6th of December. This was a short recess. No longer interval, however, could be granted, for the clamour of political unions and the impatience of the lower orders made it plain to the ministers that an impelling force had been set in motion which it

would be vain for them to hope to control or resist. If they were to retain their office they must be content, for the present at least, to be thrust forward by the rabble. Accordingly, a new Reform Bill was introduced into the Commons immediately on the meeting of Parliament. A vigorous debate followed, which ended in the second reading being carried, and then Parliament adjourned for the Christmas holidays.

The bishop did not go up to London to attend this short session, but continued in the active superintendence of his diocese, the great administrative ability which he exhibited eliciting marks of warm admiration from all who had not made up their minds to be displeased with everything that he did. On the 15th of December the freedom of the city was conferred upon his lordship by a unanimous resolution of the corporation; and on the 22nd of this month he presented the Rev. Nicholas Lightfoot to the Rectory of Stockleigh Pomeroy, Devon, being the fourth piece of preferment which had fallen to his disposal. Thus ended the first year of his Episcopate, without the occurrence of any further subject of note, unless it deserve to be recorded that no churches or chapels were consecrated during this period.

The following year was destined to be a very remarkable one. Parliament assembled on the 17th of January, after the recess, and the reform question was proceeded with at once. Long and weary were the debates which followed. It was an oft-told tale. All that could be said had been said over and over again,

and yet the speakers were never weary. On the 9th of March the Committee had gone through the bill, having entered upon the examination of it on the 20th of January. The report was considered on the 14th of March, and on the 19th the motion for the third reading of the bill was met by an amendment, moved by Lord Mahon, that it should be read a third time that day six months. The amendment was seconded by Sir John Malcolm, and was followed by a sharp debate, which was continued on the 20th and 22nd. On a division there was a majority of 116 for the third reading. This was decisive, and on the 23rd of March the bill was passed. But while this measure was occupying the attention of the Commons, another question, of scarcely less importance, was being debated in the House of Lords—the ministerial plan of education for Ireland, which was brought forward on March the 22nd.

An opinion had for some time been gaining ground that the existing system of Scriptural education was ill adapted to the peculiarities of that country, and that the Parliamentary grant made in the year 1816, and continued from that time, had not produced the desired effect. It does not appear, however, that any complaints were made until the year 1825, from which time, until 1831, the clamour rapidly increased, and the Government determined to abolish the Kildare Street Society (the object of which institution was to encourage local exertions in the establishment of schools), and supersede the existing system. In coming to this

conclusion, there can be little doubt but that they were yielding to the pressure of demagogues who desired a change from *some* religion to *none*. Reform was the order of the day, and education must be content to come in for its share of it, even though in the process it should chance to be stripped of everything that made it Christian. A plausible pretext was ready at hand, and its favourers were not slow to make the most of it.

The Roman Catholics considered the unrestricted reading of Holy Scripture to be repugnant to their form of religion; and the consequence was that they refused to allow their children to go to those schools where instruction in the Scriptures formed the basis of education. To meet this difficulty it was suggested that two different systems should be introduced, one for the children of Protestants, and the other for the children of Roman Catholics. This was objected to by the Roman Catholic prelates themselves, who thought that the separation of children was injudicious, and calculated to destroy some of the best principles of human nature.

Thus the dragon's teeth were sown, nor was there long to wait for the crop. The Irish people were taught by popular speech-mongers, whose stock-in-trade consisted of bitter hatred to England seasoned with blasphemy and ribaldry, that they had a grievance, and this "grievance" was ostentatiously paraded before the world till it was so thread-bare that it ceased to be anything but a scarecrow. Session after session, however,

it continued to furnish an unceasing political capital to a set of noisy demagogues, whose frothy orations passed for eloquence in Ireland, but moved all reasonable Englishmen to laughter. One of the leaders of this faction, for such it really was, upon being advised to follow moderate measures, had the effrontery to tell his adviser that it was by violence alone that the Roman Catholics of Ireland had advanced their cause to its present prosperous state ; and this was true enough.

“ Remember,” he said, “ the conditions which were once required of us even by our present friends, and contrast with them the terms which we can now command. Was it our peaceable demeanour, our decorous language, which placed us on this vantage ground ? No ! it was the boldness with which we asserted our claims, the unflinching, uncompromising tone of all our measures, that has enabled us thus to look back with triumph, and forward with confidence. If, indeed, anything could have been gained by following the course which you gentle counsellors recommend, we might have been ready to play the pliant part, and listen to the men to *whom we now dictate.*”

This is plain speaking—plain enough, it might have been thought, to have opened the eyes of English statesmen to what was going on in Ireland. But they seem to have been stricken with a blindness so obstinate that it seemed judicial. And so political agitators and Romish priests were allowed to play into one another’s hands, and to unsettle the country on the question of education, happy enough if in the general confusion they themselves could secure some substantial spoils.

What a section of the agitators *did* want to do—but

they had not courage to avow it plainly—was to exclude religious instruction altogether from schools. There was to be what was called “moral and literary instruction,” (an unfledged Manchester and Salford scheme,) but nothing to teach the rising generation of Ireland a word about the hopes and promises of a future state, at all events according to the doctrine of the united Church of England and Ireland.

If there was to be a bible at all, it must not be the grand old translation sanctioned by law, and approved by the consentient voice of a long line of scholars—a translation which has extorted even from infidels an unwilling testimony to its sublimity and beauty; but the Rhemish and Douay versions—*perversions* in some places they might better be called—which, apart from doctrinal differences, are as unlike the authorized version of the Holy Scriptures as they well can be, while setting up any claim to be the same book.

And here it will be instructive to consider the feelings which actuated the highest authorities in Rome in reference to the educational system in Ireland. They will be best explained by the following circular letter from the Pope to the Irish prelates on the subject of bible schools.

“Rome, Court of the Sacred Congregation for the Propagation of the Faith. Sept. 18, 1819.

“My Lord,—The prediction of our Lord Jesus Christ, in the Parable of the Sower, that ‘sowed good seed in his field; but while people slept, his enemy came, and sowed tares upon the wheat,’ (Matt. xvi. 24,) is, to the very great injury indeed of the Catholic Faith, seen verified in these our days,



particularly in Ireland. For information has reached the ears of the Sacred Congregation that bible schools, supported by the funds of Catholics, have been established in almost every part of Ireland, in which, under the pretence of charity, the inexperienced of both sexes, but particularly peasants and paupers, are allured by the blandishments, and even gifts of the masters, and infected with the fatal poison of depraved doctrines.

“It is further stated that the directors of these schools are, generally speaking, methodists, who introduce bibles, translated into English by ‘the Bible Society,’ and abounding in errors; with the sole view of seducing the youth; and entirely eradicating from their minds the truths of the orthodox Faith.

“Under these circumstances, your Lordship already perceives with what solicitude and attention pastors are bound to watch, and carefully protect their flock from the ‘snares of wolves, who come in the clothing of sheep.’ If the pastors sleep, the enemy will quickly creep in by stealth, and sow the tares; soon will the tares be seen growing among the wheat, and choke it.

“Every possible exertion must, therefore, be made to keep the youth away from these destructive schools; to warn parents against suffering their children, on any account whatever, to be led into error. But for the purpose of escaping the ‘snares’ of the adversaries, no plan seems more appropriate than that of establishing schools, wherein salutary instruction may be imparted to paupers, and illiterate country persons.

“In the name, then, of the bowels of the mercy of our Lord Jesus Christ, we exhort and beseech your Lordship to guard your flock with diligence, and all due discretion, from those who are in the habit of thrusting themselves insidiously into the fold of Christ, in order thereby to lead the unwary sheep astray: and, mindful of the forewarning of Peter the Apostle, given in these words, ‘There shall be also lying

masters among you, who shall bring in sects of perdition' (2 Pet. ii. 8), do you labour, with all your might, to keep the orthodox youth from being corrupted by them—an object which will, I hope, be easily effected by the establishment of Catholic schools throughout your diocese. And, confidently trusting that, in a matter of such vast importance, your Lordship will, with unbounded zeal, endeavour to prevent the wheat from being choked by the tares, I pray the all-good and Omnipotent God to guard and preserve you safe many years.

“Your Lordship's

“Most obedient humble Servant,

“F. CARDINAL FONTANA, Prefect.

“C. M. PEDICINI, Secretary.”

This document is pretty forcible, it must be admitted, even for a papal rescript, and its effect upon the people of Ireland may easily be imagined. Trained to regard the voice of the Pope as an infallible oracle, it was not likely that the authorized version of the Holy Scriptures would henceforward be received by them with much veneration or favour.

“That the Scriptures should be neglected,” says Dr. Phillpotts, in his Letter to Mr. Canning, “and, in many instances, utterly unknown, is only a matter of course. Mr. Donelan, a Roman Catholic gentleman, nephew of Lord Fingal, one of the inspectors of the Kildare Place Schools, states in his evidence (p. 488) before the Commissioners of Education, ‘that the peasantry could scarcely distinguish between a Testament and any other book of the same size on a religious subject; that, in Connaught, *the peasant does not know what a Bible or Testament is*. I think,’ he adds, ‘we may say, in general, they do not understand that the Bible contains the Word of God, the history of our Saviour, the history of the creation, and the redemption of the world.’ Another wit-

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ness (Captain George Pringle, p. 686) informs the Commissioners, that he 'had met with a great many who never saw or heard of the Scriptures; some did not know what he was speaking about, when speaking of the Bible. At last they cried, "Oh, yes, you are speaking about the *Black Book*." Some of them think that *Luther was the author of it*.' 'In an investigation, which occupied nearly three whole days,' says Mr. Gordon, p. 716, 'during which I entered as many cabins as that time would admit, only one copy of the Scriptures was found, a Protestant Testament, that belonged to a child in attendance on a Protestant school. *The persons in the cabin were afraid to touch it; they handed it down on a board, because they thought it an heretical book.*'

"That this ignorance is encouraged by the Church of Rome," continues Dr. Phillpotts, "as highly serviceable to its interests, is manifest not merely from the encyclical letter of the Pope (quoted above), but also from the conduct of the priests, as narrated in the evidence before the Commissioners. 'One lad of nineteen told me,' says Captain Pringle, "'If we read that Black Book, the priest tells me we shall be visited with thunder and lightning.'" 'The Roman Catholic clergy,' says another witness (H. M. Maſon, Esq., p. 746), 'have denounced the Irish Scriptures from the altar in Kerry and Meath, and have called our New Testament, because it is in some instances bound in black, the *Black Book*, and have produced it as such in its black coat, connecting it with *the powers of darkness*.'"

More of the same kind might easily be added, but the picture is too unsightly already to require the introduction of fresh objects of horror. But, hideous as it is, it is drawn from life; for such was the state of things revealed by a Commission appointed by Government, and for this deplorable ignorance it was only

too plain that the Romish hierarchy were answerable. And now the question arose, should Englishmen, by a deliberate vote in Parliament, help to make this darkness darker? And, what is more to the purpose, were the bishops to stand idly by? Was no voice to be raised in defence of God's holy Word? Was it to be sacrificed by statesmen at the call of a political faction? Was that which makes men wise unto salvation henceforward to be banished from every Irish school? No. Indignant voices were raised from the Episcopal Bench, and none more righteously indignant than that of the Bishop of Exeter. His was the noble part of exposing the insidious attempts of the Roman priesthood to secularize the scheme of education, in order to remain sole masters of the field. Most forcibly did he show the real bearings of a bill fraught with such mischievous consequences, that it might well be doubted if its promoters knew to what lengths they were committing themselves. It is probable that they did *not* know. But the penetrating glance of the bishop could see the evil which was coming, and, in a speech which would give him a lasting claim on the gratitude of posterity, even if no other memorial of his public life remained, he denounced, with more than his usual energy, and with a vehemence which must have reminded his hearers of one of those heaven-inspired messengers of old, the sin which would attach to the nation if such a bill should ever become the law of the land.

Early in the debate the bishop spoke as follows:—

“My Lords, I can assure the noble marquís who has

just sat down that I will adhere to the advice which he has been pleased to give to your Lordships, and will confine myself strictly to the question before the House. I have in truth no temptation to wander from it; for the question itself is far more than sufficient for me to hope to do justice to it, and it is besides far more interesting in itself than any collateral matter could help to make it. My Lords, it is, I can assure your Lordships, felt to be so by thousands out of this House and by not a few I trust within it. It is a question which, as it will be my duty to endeavour to satisfy your Lordships before I conclude, has not only excited, but has also justified the greatest anxiety and alarm both in Ireland and throughout the empire at large.

“ Before I proceed, my Lords, to enter upon the discussion of this most important subject, I will venture to make one remark in reference to an observation of the right reverend Prelate behind me (the Bishop of Chester), for whom I may be permitted to say I entertain the most sincere respect. That right reverend Prelate has said that he could not consent on this occasion to raise his voice in condemnation of His Majesty's Ministers, although he disapproved of the plan proposed by them. My Lords, I too wish to be understood in the observations which I am about to address to you, as meaning to say nothing unnecessarily disrespectful to His Majesty's Ministers. My remarks will be made against the measure and not against the men. And yet, my Lords, I shall not be restrained by any apprehension of incurring the censure of a noble Lord who has recently addressed you, of being called factious or belonging to a faction—an accusation pretty liberally bestowed of late on those who have considered it their duty, on public grounds, to oppose a public measure—I say, my Lords, I shall not be restrained by any apprehension of being charged as a member of a faction from speaking as becomes a member of your Lordships' House, and if I shall find it necessary to offer any very strong observations against the measure, I shall not scruple to do so,

trusting that the noble earl at the head of His Majesty's Government and his colleagues will understand that I wish my observations to apply as little as possible to them, but as much as possible to the measure itself. I say this the more readily, because I do not think that there are many among those noble lords, although officially responsible for the measure, who know what that measure really is. My Lords, I do not make this charge on slight grounds, for when I hear noble lords who have spoken in defence of the new plan, particularly the noble and learned Lord (Lord Plunket), declare that the principle of it has been sanctioned by all the commissions and committees that have hitherto devoted their labours to the consideration of this subject, it is plain to every understanding, that they know not what this new plan really is. My Lords, instead of being the same in principle as that which has been recommended by the reports of previous commissions and committees, I affirm that the present measure not only has not the sanction of those reports, but is in direct opposition to them all. If therefore, my Lords, I establish this point to the satisfaction of your Lordships, I think I shall stand excused for saying that I very much doubt, or rather I do much more than doubt, whether the noble lords know what this measure really is.

"My Lords, I will now beg leave to refer to the letter addressed to the noble duke at the head of the new board of education, whom I am most happy to see in his place, from the right honourable the Secretary for Ireland. And I will beg leave from that letter, which is the formal and official exposition of the new plan of national education in Ireland, to show what that plan is. It may be considered as dividing itself into three distinct particulars,—as respects, first, the moral and literary instruction which it is proposed to afford to Protestants and to Roman Catholics in common; secondly, the separate religious instruction of Protestants; thirdly, the separate religious instruction of the Roman Catholics. From

an examination of these several parts, I will undertake to show that the real principle of this national plan of education is to exclude Scripture altogether from some of the schools supported by the State, and to lay the least possible stress on Scripture as a part of that education in all. In truth, my Lords, strange as it may seem, this official exposition of the plan, I mean Mr. Stanley's letter, from the point at which it commences, the development of his plan is so constructed, as to avoid the very mention of Scripture at all.

"First, as respects the common instruction of Protestants and Catholics, this is the provision:—'They will require that the schools be kept open for a certain number of hours on four or five days of the week at the discretion of the commissioners, for moral and literary education only. They will exercise the most entire control over all books to be used in the schools, none to be employed in the combined moral and literary instruction except under the sanction of the board.' Now your Lordships will see here is no mention of any book of Scripture to be introduced; no, not even of a book containing extracts of Scripture. I know it has been a ground of complaint against the plan that extracts are proposed to be given from the Scriptures and not the Scriptures themselves. This is matter of complaint which has been frequently adverted to in petitions to this House, and some of your Lordships also have made the same complaint. My Lords, my complaint is of a contrary kind. I complain not that books of extracts of Scripture are to be used in these schools of moral instruction, but that they are not to be there used. My Lords, if volumes of well-chosen extracts from the Bible were to be used in the schools at the time of common instruction, I should not think it reasonable to complain, that the whole Bible is to be reserved for the times of separate religious instruction. I should think this no more than a fair concession to the peculiar circumstances of the case; but, my Lords, there is absolutely no security whatever, that all books containing extracts from the Scrip-

tures are not to be excluded—rather, there is actual proof that all such books will be excluded, as far as regards the moral instruction of both Protestants and Roman Catholics.

“I will take upon myself to show this presently, but in the meanwhile, let me go on to state what the provisions of this plan are for the religious instruction of Protestants. ‘They,’ the Commissioners, ‘will exercise the most entire control over all books to be used in the schools; in the separate religious instruction none are to be employed, but with the approbation of those members of the Board who are of the same religious persuasion with the children for whose use they are intended.’ Why, then, my Lords, it is clear that there is no other security for the use of the Bible, even in the religious instruction of Protestants, than that derived from the character of the individuals composing that commission, and upon that point I shall speak presently.

“I observe, that some noble lords are disposed to think that I am inclined to cavil upon this point, but I think when I come to enter further into the question, I shall prove to them that I have too good ground for the opinion which I have expressed.

“With regard to the separate religious instruction of Roman Catholics, the provisions are the same as for the separate religious instruction of the Protestants; neither the Old, nor the New Testament is required—all is to be left to the Commissioners of the two several persuasions.

“Such is a general view of this new plan of national education. I proceed to a more particular inquiry into its three several parts.

“In respect to the first part, I think I shall make it plain that the principle of this measure, so far as regards the joint moral and literary instruction of Protestants and Roman Catholics, is completely to exclude the use of the Bible, whether entire, or in extracts. In doing this, I fear that I must pray the indulgence of your Lordships for some trespass on your time, because I feel it necessary to have recourse



to documentary evidence ; and yet, however tedious that may be—and still more tedious the observations which I may consider it necessary to make on those documents—I venture to be confident that your Lordships will patiently bear with me, not only because I have not trespassed on your attention before, and am not likely often to do so again—but much more in consideration of the great importance of the question now before you.

“ My Lords, I have said that the Holy Scriptures, whether in the entire volume, or in the form of extracts, are, in fact, excluded from the proposed plan of general education ; and I think that this will appear in the clearest possible light, if I show that the exclusion or non-exclusion of them must depend on the good pleasure of the Board, and that there is one person placed upon this Board who is not only likely, but whose duty it is, to exclude them.

“ My Lords, it must be borne in mind that this letter of the right hon. secretary refers to the acts of a preceding commission which took place some years ago. I mean the commission of 1824-27, at which latter period their labours were concluded. My Lords, the reports of that commission furnished ample details of the opinions of the Roman Catholics with whom they communicated. The Commissioners felt the great importance of the principle, that a literary and moral education should be based on the Scriptures. In their formal communication with Dr. Murray, on the subject of common instruction, a minute of which was made at the time, they thus express themselves :—‘ The Commissioners then stated that they could not consider any system of education as deserving the name, which should not seek to lay the foundation of all moral obligation in religious instruction —(so little notion had these wise and good men of any system of common instruction which should be moral and literary only). They, therefore, inquired of Dr. Murray, whether it would be objected to, on the part of the Roman Catholic clergy, that the more advanced of the Protestant and Roman

Catholic children should, at certain times during school hours, read portions of the Holy Scriptures together, out of their respective versions, subject to proper regulations, and in the presence of their respective Protestant and Roman Catholic teachers?' Dr. Murray answered, 'that serious difficulties would exist in the way of such an arrangement; but he suggested an expedient—that of introducing collections from the Scripture and books of extracts.' Dr. Murray said, 'No objection would be made to a harmony of the gospels being used in the general education, which the children could receive in common, nor to a volume containing extracts from the Psalms, Proverbs, and Book of Ecclesiasticus, nor to a volume containing the history of the creation, of the deluge, of the patriarchs, of Joseph, and of the deliverance of the Israelites, extracted from the Old Testament, and that he was satisfied no difficulties in arranging the details of such works would arise on the part of the Roman Catholic clergy.' Thus it appears that the expedient of having books of extracts and collections from Scripture was first suggested by Dr. Murray; and that he then contemplated giving these extracts from the authorized Protestant version, is plain from what occurred at a subsequent meeting.

"My Lords, on the occasion to which I have already referred, Dr. Murray came alone, and made this statement before the Commissioners; but, in a few days afterwards, he returned, bringing with him the three other titular Roman Catholic archbishops of Ireland, and he said,—'It appears to be the wish of these gentlemen,'—not at all implying that it was so much a matter of wish to himself, and certainly implying that it was not a matter of conscience or principle to any of them,—'it appears to be the wish of these gentlemen, that anything given in the shape of Scripture should be in the Douay version for the Catholic children.' Thus the matter stood on the 8th of January, 1825; yet, on the 16th of December, of the same year, it will be found that he positively objected, as of conscience and necessity, to any-

thing being read, as Scripture, in the presence of the Roman Catholic children, unless it was in the Douay version; he retracted, in short, all he had said, and objected to the use of any books that should give any part of our Lord's own words, unless it was in that version. But he went further, and said that it was contrary to the discipline of the Catholic Church that any books whatever should be placed in the hands of the Roman Catholic children in which there was even a quotation from the Bible of the Established Church, where that Bible differed from the Douay version. Thus, it became apparent that no books of extracts from Scripture, *as Scripture*—no moral instruction based on the Word of God, *as such*—could be admitted into the schools of common instruction, unless the bishops of the Protestant Church would consent altogether to forego the use of their own version—the only version, I must be permitted to remind your Lordships, which the law of the land acknowledges as the Word of God. Not a text, or even a reference to it, would be tolerated by the Roman Catholics, if the reference to it were made as to the Scriptures—so decidedly were they opposed, within the short period of ten months, to their former statement in respect of the facilities which they were willing to afford to one common principle of instruction, and in order to promote the objects which the Commissioners had in view.

“And yet, my Lords, I must be permitted to remark that, whenever it may seem necessary, or possibly expedient, for Dr. Murray and his friends to act on a somewhat different principle from that which they have here announced, they find no difficulty in doing so. No doubt, your Lordships will all remember that it was made a matter of great triumph, and adduced by the noble and learned lord, the Lord Chancellor of Ireland, as a convincing proof of the liberal and Christian spirit of Dr. Murray, that a paper containing the first lesson set forth to be used under the new system was moved for adoption by Dr. Murray; which lesson is to be

suspended in every school, and enforced upon the mind of every scholar—a lesson, most certainly, of a highly laudable nature—a lesson of Christian benevolence towards those with whom we differ in religious belief. Now, that very lesson contains citations from the Holy Scriptures in the version of the Church of England, even in texts where that version differs from the Rhemish (I say Rhemish, because that word, in strictness, refers to the translation of the New Testament, as the Douay version does to the Old), and, as I have said, is to be stuck upon the walls of every school. This, I repeat, was proposed by Dr. Murray, although he had joined before in saying, or, by his silence, had acquiesced in the saying of his brother prelates, to the Commissioners of 1825, that it was contrary to the discipline of the Roman Catholic Church that the Roman Catholic children should have any book or extract with such a reference placed in their hands. I state this to show how little confidence can be placed in the sincerity of the Roman Catholic prelates, in any transactions in which the interest of their Church are concerned.

“My Lords, it will be recollected that the Commission of 1824 abandoned the experiment which they had endeavoured to carry into effect, because they found it impossible to get extracts from the Scriptures to be read in the schools. The consent of the Roman Catholics could not be obtained to the use of our version of the Holy Scriptures, even though they were compelled to admit that their own version was not, strictly speaking, an authorized version; for it never had received any sanction from Rome, and it had been repeatedly altered since its first publication. Our bishops, on the other hand, could not consent that the Protestant Bible—the only Bible acknowledged by the law of the land—should be abandoned at the demand, or to conciliate the co-operation, of the Roman Catholics. The consequence was, as we very well know, that the Commissioners of 1824 decided that the experiment could not go on; for, as a volume, or volumes, of extracts from Scripture were

essential, in their judgments, to the proper teaching of morality to Christian children, and as no such volume could be agreed upon, nothing remained for them to do but to relinquish an attempt which was thus proved to be hopeless. Now, on this occasion Dr. Murray said, in a letter addressed to the Commissioners—‘I will avail myself of this opportunity to express an opinion, which you will not, I am sure, consider at variance with that respect which I sincerely entertain for the Board of Education inquiry : it is that the Board has created for itself a very needless difficulty by requiring, as a matter of necessity, any scriptural compilation to be used in schools for the purpose of general instruction.’

“It is quite manifest, therefore, that Dr. Murray thinks any such scriptural volumes unnecessary ; and, as he has also declared that any scriptural compilation from the Bible of the Established Church ought not to be used, he will not, and cannot, assent to its introduction into the schools of general instruction. In short, my Lords, he must and will, if he have the power, exclude the Scripture from such schools altogether.

“But, my Lords, that he will have the power, I proceed to show to your Lordships—and this not merely from considering the deference which would necessarily be paid to his opinion resting on alleged grounds of religious scruples, but also from a very peculiar circumstance, which will be found to deserve the closest attention of your Lordships. It certainly is most remarkable that Dr. Murray, or some one in the interest of Dr. Murray, has assumed for him a power which was not intended to be given by Mr. Stanley’s letter : no less, in short, than a veto on all books proposed to be used for general instruction ; and this object has been effected by foisting in an important word into the regulations of the original.

“I am very happy to see in his place this day the noble Duke (the Duke of Leinster), who is at the head of the Board of Irish Education, because I shall be set right in respect

of what I call a most unwarrantable and unauthorized alteration of the instructions contained in that letter if I am incorrect.

“My Lords, it will be observed that Mr. Stanley’s letter says :—‘It is not designed to exclude from the list of books for the combined instruction, such portion of sacred history, or of religious and moral teaching, as may be approved of by the Board.’

“Now under this regulation, certainly if the Board at large should think fit that a portion of the Scriptures should be used, any objection on the part of Dr. Murray would be useless. [The Duke of Leinster.—‘Hear ! hear !’] I am happy to find that the noble duke acquiesces in this, and calls the attention of your Lordships to it ; for I am quite sure that, after I shall have shown what has been done, you will find your attention has not been ill bestowed. Your Lordships will observe that a public notice has been given by the Board of Education in Ireland, that they are ready to receive applications for aid, on the part of those who may be disposed to establish schools under the direction of the Board.

“My Lords, I hold in my hands the public advertisement of the Board to that effect. A noble lord near me says, in a tone something like that of taunt, that I am quoting from a newspaper. It is very true ; but it is the very same document as was cited for a different purpose, without objection from any of your Lordships, some nights ago, by the noble and learned Lord (Lord Plunket) ; and I must take leave to say, that an advertisement from a newspaper is as regular a document, and as fit to be cited here, as any other paper which has not been formally laid on your Lordships’ table. I repeat, therefore, that my newspaper is as authorized a document as the noble and learned lord’s sheet, though this latter be of handsomer form, and better type. Now, my Lords, in this advertisement, purporting to be the formal announcement of the Board’s new plan of National Education, and subscribed by the Secretary to the Board, the rest of the

regulation respecting the control of the Board over the books of general instruction is given *verbatim*, according to the terms of Mr. Stanley's letter ; but, before the word ' Board ' is inserted, the word ' entire ' and the effect of the alteration, your Lordships will perceive, is to require the consent of all and every member of the Board, to the use of every particular book ; thus giving, as I said, a veto to Dr. Murray, and enabling him, even if he stand alone, to exclude all books of extracts of Scripture, or anything else which might displease him, from the list. [Earl Grey—' Where is the word ? I do not find it here, and this is the paper issued by the Board. ']

" Why, then, my Lords, if the Board has not in its own formal act inserted the word, it is quite plain that there is some power which can effect whatever alteration shall be deemed expedient in the acts of the Board, in spite of the intentions of the Board itself. This advertisement announces to the world the plan of education, and by it the conduct of the public in forming schools will be regulated, [Earl Grey intimated that he had found the word in his paper.]

" Oh, then, my Lords, it is in both papers—in the handsome official document, and in the more homely one in my hand, the word is equally to be found ; and I cannot be sorry for the doubt which at first existed in the noble earl's mind on this point, as it must have increased your Lordships' attention to the circumstance, and, at the same time, perhaps, has testified the noble earl's sense of its importance. I repeat, this word ' entire ' is something superadded to the instructions of Mr. Stanley—something not in any degree justified by those instructions ; and I must take the liberty of saying, further, that it would be satisfactory, if the noble duke at the head of the Board could inform us how this unauthorized and most improper interpolation was made ; I am perfectly satisfied that he was no party to it. I have heard much of the noble duke's high and honourable character—I am persuaded not too much,—and therefore, I feel myself warranted in affirming, that he never contemplated so important a change in the

instructions and powers which the Board received, as is involved in the interpolation of the word 'entire.'

"My Lords, while I am sure it is not the noble duke's act, I am not sure whose act it was. But this I will say, it is not of English, it is not of Protestant origin—the taint of Jesuit is strong upon it.

"'The offence is rank ; it smells to Heaven.'

"Such, my Lords, has been the mode by which power has been given to every single member of the Board ; to Dr. Murray, therefore, in particular, who has declared himself bound in conscience to use that power—to exclude all extracts from Scripture, if those extracts be in the version which all Protestants consider, and which alone the law of this land considers, as Scripture, from the schools of common instruction of Protestant and Roman Catholic children.

"My Lords, I proceed to the second part of this plan of National Education—the separate religious instruction of Protestant children. Here, too, I must remind your Lordships that we have heard this new plan repeatedly and strongly defended, especially by the noble and learned lord, the Lord Chancellor of Ireland, because the several reports of the various Commissioners and Committees of the House of Commons, assert principles in perfect accordance with those upon which the Government plan of education has been founded. Now, I will take the liberty of asserting—and I fearlessly refer your Lordships to the documents themselves, to prove the correctness of my assertion—that, so far from this plan being sanctioned by the previous reports, it is in direct opposition to all of them—in every part of it ; and not least in the part to which I am about to invite the attention of your Lordships.

"My Lords, the whole control of the religious instruction of the Protestant children of Ireland will be placed, by this plan, in the hands of three Commissioners nominated by the Crown. I need scarcely tell your Lordships that I enter-



tain for the Protestant portion of the Board the very highest respect ; I have already spoken, and shall continue to speak, of the noble duke at the head of the Board with the most sincere respect ; but sure I am your Lordships will agree with me, and I am also sure the noble duke himself will be perfectly ready to admit, that there is no great probability of his troubling himself much with minutely criticising the religious publications submitted to the Board. The duty of examining them must, then, of necessity devolve upon the other two Commissioners, namely, the Archbishop of Dublin and Dr. Sadleir. I know both those learned persons, and of both of them I think most highly. Of the Archbishop of Dublin, I will say, that I never knew a man of greater powers, or of a more richly cultivated mind. I never knew a man more strenuous in the pursuit of truth, more fearless in following whithersoever the pursuit may lead him. In short if ever I knew one man more than another who could be called a strict lover of truth, that man is the Archbishop of Dublin ; and, to say of any man that he is a strict lover of truth, amounts to saying that he is one of the best of men. But, having said this, I trust it will not be imagined that I speak invidiously, when I say, that this very ardent love of truth in one, who happens to have erred in the pursuit of it, only makes him the more unsafe as a guide, much more as the absolute arbiter of the opinions of others. In short, my Lords, I must not be afraid of saying, that the known opinions of the Archbishop of Dublin upon an important theological question, are opinions which, in a great degree, disqualify him for the situation to which he has been called. That he is disqualified for that situation not merely because he must be thoroughly ignorant of the state of Ireland ; not because he is, therefore, in imminent danger of being duped by the Jesuitism to which I have already adverted ; but also because, as I have said, of those opinions.

“ The opinions of this most reverend Prelate are no secret—they are known, I presume, to most of the noble lords

I have the honour to address. His opinion denying the sacredness of the Sabbath has been put forth to the world, and he is answerable for it to the world. Now, what I say is this, that any man holding such an opinion, and not only holding it, but promulgating it to the world, is not qualified to have a veto on the books that should be used in the education of Protestant children. Suppose a tract is put into his hand, the theme of which is, 'Remember that thou keep holy the Sabbath-day,'—I put it to any man, is he or is he not a person who ought to be intrusted with the power of deciding as to the admissibility of such a tract? My Lords, I perceive, from the demeanour of some noble lords near me, that they think this language invidious. My Lords, I disclaim any such intention, I mean nothing invidious. I, in common with the great body of the clergy of the Church of England, and with all, I believe, of my right reverend brethren near me, hold that this opinion is erroneous. I impute error, but nothing more than error: and I lament to think, in these days, that a man must either be supposed to be insincere himself, or to ascribe insincerity to another, if he gives him credit for conscientiously avowing and maintaining an error.

"But, my Lords, the case stops not here. Much worse consequences may flow from the principle on which this commission is founded. The present Ministers would not, I dare say, advance a man to the Episcopal Bench in Ireland who holds Socinian or Arian opinions. They would not knowingly do so. But there have been instances of such appointments; even in our own times there was an Irish bishop defamed as a Socinian. I will suppose such a man appointed to the Archiepiscopal See of Dublin, and to a seat at this board, and then I find a Socinian vested with full power to control the religious sentiments of the rising generation of Ireland.

"But, my Lords, the whole of this part of the measure is a flagrant violation of the spirit, and, I believe, even of the

letter of the law of the land ; it is, too, a gross usurpation upon the rights of the clergy of Ireland.

“By the statute law, it is the duty of the Protestant clergy of that country to make provision for the education of the people. The earliest Act to which I think it necessary to refer your lordships is an Irish Act of Parliament of the 28th of Henry VIII. This Act, after stating ‘the importance of a good instruction in the most blessed laws of Almighty God ;’ and after further stating ‘his Majesty’s disposition and zeal, that a certain direction and order be had, that all of his (Irish) subjects should the better know God, and do that thing which might in time be, and redound to our wealth, quiet, and commodity,’ proceeds, after other matters, to require an oath to be administered to every clergyman at ordination, and another at institution, that he will keep, or cause to be kept, a school for to learn English, &c. And this is re-enacted by the 7th William III, c. 4, (Irish). These provisions, as I presume I need not inform your lordships, impose no obligation upon the beneficed clergy to maintain those schools at their own expense ; they merely convey to them a power, and impose on them an obligation, of seeing that these schools be established, and that no higher rate of payment be charged than the customary rate. In truth this Act does little more than add a pecuniary penalty to the sacred obligation which, without any such statute, would have been imposed upon the clergy of attending to the instruction of the young. It is their duty upon much higher grounds than those which any Act of Parliament can impose ; for at their ordination they receive a power, and at institution they receive the assignment of a particular place in which to execute that power, of preaching the Word of God ; and, by preaching, as I scarcely need tell your lordships, is not meant merely the delivery of sermons, but the whole spiritual care of their flocks. But the letter of the Chief Secretary for Ireland not only interferes with the obligation involved in the ministerial office,

so far as concerns this most important particular of the cure of souls—the religious instruction of the children of the poor—but it also puts an end, or professes to put an end, to the obligations which positive statutes have created ;—for it, in effect, takes out of the hands of the parochial clergy that right and duty of superintendence with which several statutes have invested them. This, I presume, will be considered by most noble lords as the assumption of something very like a dispensing power. Be this as it may, three Commissioners are nominated by the Crown, who are to possess the absolute power of dictating what shall be the religious instruction given to the children of Ireland ; thus taking from the parochial clergy in Ireland that which the laws of God and man had intrusted to their fidelity and discretion. Now, my Lords, we are told that this plan is perfectly identical with that which was over and over again recommended by different Committees and Commissions. But so far is this from being correct that the Commission of 1824 left this matter wholly and expressly in the hands of the clergy. The first report of that Commission, at great length, asserts and establishes the right of the clergy, by statute, to the superintendence of the instruction of the children of Ireland ; and the Report of the Committee of the House of Commons in 1828 left the selection of books for the religious instruction of the Protestant children to the bishops of the Church in general, who might be considered as the fit representatives of the clergy. But this new plan absolutely flies in the face of all that went before ; and yet noble lords, and noble and learned lords, defend this plan on the ground of its being founded on the very same principles.

“ But I am come to the third part of this new scheme of national education ; and I ask, How does it provide for the religious instruction of the Roman Catholic children ?

“ My Lords, I am not prepared to say that it is the duty of the State to insist on all persons learning in the Bible ; but this I say, that it is the duty of the State not to aid in any

form of education which excludes the Bible ; this I say, that all persons should have free access to the Bible, whether they will avail themselves of it or not. We should recollect that the preservation of a free access to the Scriptures is a duty imposed upon us by the law of God, and especially that every Protestant legislature, as such, is bound to take care that the people committed to its charge enjoy that privilege in its fullest extent ; is bound to see that, neither directly nor indirectly, it makes itself a party to any measure adverse to this prime and fundamental Protestant principle.

“ In making these statements, however, I am perfectly willing to admit that, in the present peculiar state of Ireland, it would be at once unwise and cruel not to give more than the Protestant version of the Scriptures. All that I contend for is the duty of a Protestant legislature and a Protestant government to see that a version of the Scriptures, of some kind or other, be accessible to all ; and that it be actually used in the instruction of all for whose education the State shall undertake to provide. Yet this the Roman Catholic hierarchy will not now permit. In truth, it cannot have escaped the attention of your lordships that the present demands of that hierarchy are of a much more lofty character than those which they urged at a former period ; though, to do them justice, their declared principles were then the same as now. In proof of this I will refer to a petition of the Roman Catholic bishops of Ireland to the House of Commons, presented in 1824, and published in the first Report of the Commissioners of 1824, page 1. The words are these :—

“ ‘ That the religious instruction of youth in Catholic schools is always conveyed by means of catechetical instruction, daily prayers, and the reading of religious books, wherein the gospel morality is explained and inculcated ; that Roman Catholics have ever considered the reading of the sacred Scriptures by children as an inadequate means of imparting to them religious instruction, as an usage whereby the Word

of God is made liable to irreverence, youth exposed to misunderstand its meaning, and thereby not unfrequently to receive, in early life, impressions which may afterwards prove injurious to their own best interests, as well as to those of the society which they are destined to form.'

"Such were the sentiments of the Roman Catholic bishops at the period to which I refer, deliberately laid before the other House of Parliament. I shall now request your lordships' attention to another document which I think not less interesting than important, for the purpose of illustrating and sustaining the positions which it is my object to enforce. I allude to an encyclical letter from Pope Leo XII. against the use of the Scriptures in the vulgar tongue, dated the 3rd of May, 1824, and published in Ireland with 'Pastoral Instructions to all the Faithful' by the Roman Catholic archbishops and bishops of Ireland, and is to the following effect:—

" 'We also, venerable brethren, in conformity with our apostolic duty, exhort you to turn away your flock, by all means, from these poisonous pastures (the Scriptures in the vulgar tongue); reprove, beseech, be instant in season and out of season, in all patience and doctrine, that the faithful intrusted to you (adhering strictly to the rules of our Congregation of the Index) be persuaded that if the sacred Scriptures be everywhere indiscriminately published, more evil than advantage will arise thence, on account of the rashness of men.'

"To this passage the Irish prelates, in their Pastoral Instructions, refer in the following terms:—

" 'Our holy father recommends to the observance of the faithful a rule of the Congregation of the Index, which prohibits the perusal of the sacred Scriptures in the vulgar tongue, without the sanction of the competent authorities. His holiness wisely remarks that more evil than good is found to result from the indiscriminate perusal of them, &c. In this sentiment of our head and chief we fully concur.'

"My Lords, you have here before you the solemn judgment

of the head of the Roman Catholic Church. You have likewise before you the solemn judgment of the whole Irish Roman Catholic hierarchy. I will next state what an individual of that body—the most influential among them, Dr. Doyle—has said of his own separate sentiments—separate only in the sense that he speaks in his individual capacity, but in no respect different from the general sentiments of the body. He says,—

“‘The Scriptures alone have never saved any one; they are incapable of giving salvation; it is not their object; it is not the end for which they were written.’

“These are his sentiments, though S. Paul tells us that the Scriptures ‘are able to make us wise unto salvation.’ Dr. Doyle goes on to say,—

“‘They hold a dignified place amongst the means of the institution which Christ formed for the purpose of saving His elect; but if they never had been written this end would be obtained, and all who were pre-ordained to eternal life would have been gathered to the Church, and fed with the bread of life.’

“Such are the notions of Dr. Doyle respecting Scripture, and not of Dr. Doyle only, but of all the Roman Catholic prelates of Ireland. They will act in conformity to these notions, and, armed with the authority of this commission, they will expel the Scriptures from the religious instruction of all their schools, even of those which are maintained at the expense of this Protestant State.

“But, my Lords does this accord with the recommendation of the Commissioners of Irish education of 1824? So far from it, that they laid it down as a fundamental, an indispensable principle, that the Testament should be put in the hands of all children, Roman Catholics as well as Protestants. This was a matter which they would not permit to be brought even into question; they insisted upon it as essential (their own word, my Lords), and they required the Roman Catholic prelates to furnish them with a version of

the New Testament for the purpose. They permitted, indeed, that notes should be subjoined, requiring only that these notes should not contain matter of reasonable offence to Protestants. My Lords, I have pleasure in bearing testimony to the fairness and fidelity with which this has been accomplished. I have pleasure in saying that I have read those notes, and have found in them nothing whatever which can afford fair ground of offence to any reasonable Protestant.

“My Lords, the Commissioners of 1824 insisted, I repeat, on this Testament being used in the religious instruction of the Roman Catholics, and on the children reading in it, not only the Epistles and Gospels of the Sundays, but the Epistles and Gospels of the whole week, including a large portion of the New Testament.

“My Lords, the Committee of the House of Commons of 1828 followed in the same line. They, too, required that this New Testament should be printed and supplied to the national schools for the religious instruction of the Roman Catholic children :—

“‘Resolved, that it is the opinion of the Committee that copies of the New Testament, &c. should be provided for the use of the children, to be read in school, &c. the established version for the use of the Protestant scholars, and the version published with the approval of the Roman Catholic bishops for the children of that communion.’

“Such was the resolution of the Committee of 1828 ; but the new plan abandons the Testament altogether. It does so, even though it professes to carry into effect the report of that Committee—it does so, even though some special management (I wish not to use the word in an invidious sense, but simply to state the fact, that some management) was necessary to effect the purpose. My Lords, on looking to No. 6 of the regulations of page 5 of the report of the Committee, and comparing it with No. 5 of the regulations in Mr. Stanley’s letter, your lordships will perceive what I mean. In the latter, all mention of supplying ‘books of



religious instruction' (which included Testaments) is studiously omitted, even where that letter is copying the very part of the report which requires such a supply. Why, my Lords, is this? Why is it that, in the plan of the present Board of Education, which professes to carry into execution the recommendation of that Committee, there is no provision made for the supply of Testaments to any school in Ireland? Because, my Lords, the power which dictates to Government, in all that concerns the interests or the wishes of the Roman Catholic Church, has chosen to demand the sacrifice—has chosen to demand that the Bible should be altogether excluded from their schools. To this power our Protestant government has consented to surrender that which never before was permitted even to be asked.

"My Lords, I have now gone through the various parts of this new scheme of national education, and I think its merits may be fairly summed up in this brief abstract. It has divorced morality from the Word of God. It has controlled the Protestant priesthood in the exercise of one of their most essential rights, and in the discharge of one of their most important duties—subjecting them to a tyranny which the laws neither of God nor of man have authorized. It has conspired with the Roman Catholic hierarchy to arrest the progress of the book of life—to exclude that blessed book for ever (as vain man fondly deems) from every cabin of every peasant in Ireland—and to consign the unhappy peasant himself to a deeper, deadlier state of darkness and of bondage.

"My Lords, I have done. I have said what I had to say, and I thank your lordships for the patience with which you have heard me. Be assured that I will not often trespass on that patience. My Lords, in the part which I have now taken, I have only endeavoured to discharge some portion of the duty which I owe to the high office in which I am placed.

"Why are men of our spiritual function called to mingle

in the councils of you, the mighty ones of this world, and to bear our part in legislating for the land? Why is this strict union of Church and State?—an union which, for many more centuries than I can number, has been the glory and security of England. Why, I ask, is this? Is it to make the Church political? No, my Lords; in the language of the most venerable man among you—one of whom, as he is now absent, I can more freely express my gratitude and admiration—I mean the noble and learned earl who for so many years sat on that woofsack—it is not to make the Church political, but to make the State religious. Therefore, my Lords, it is that we sit here. We sit among you mainly and chiefly (not, indeed, solely, but mainly and chiefly) that we be at all times ready, when occasion shall demand, to instil into your counsels the holy lessons of Gospel truth—to watch over the best and highest interests of those for whom you legislate—to raise our warning voice against every attempt, from whatever quarter it may proceed, to sever policy from religion, or to sacrifice the smallest particle of that pure faith for which your forefathers, my Lords, drove a bigot from his throne, and our predecessors were content to be led by his beadies to a gaol! My Lords, I stand before you a bishop of the united Church of England and of Ireland; the united Church, I say—for never may we forget that it is united—never! never! never!—least of all, in this dark hour of suffering to the Irish branch, of common trial, of common peril (it may be both), to both. I stand here, and implore your lordships to give your most serious attention to the high religious interests, aye, and I must be permitted to add, the high religious duties, which are involved in this night's question. I stand here, and conjure you to cast off, for one brief hour, all inferior thoughts, and to remember only that you are Christian legislators.

“My Lords, four-and-twenty hours have scarcely passed since we humbled ourselves in the house of God, deploring the sins of a guilty people, and beseeching Him to avert the

fearful scourges which those sins have merited. We all then 'humbly acknowledged that, through our neglect of God's ordinances, through our misuse of God's bounties, offences have multiplied in the land.' My Lords, of all those ordinances, the most sacred is the due and free use of His holy Word; of all those bounties, the most precious is the gift of that holy Word. And will you then, my Lords, on this, the first night of your assembling together after that solemn service—will you join in dereliction of your first duty—in deserting the cause of God's own Word? My Lords, I have no right to speak to you of my own feelings: if I had, I would entreat, I would beseech you—I would not, indeed, imitate the eloquent action of the most eloquent of living men—I would not bend my knee in prayer to you, for I pray not to mortal man—but if reverence did not forbid me to mingle the attitude and the words of prayer with the excitement of this debate, I would humbly pray to Him Whose poor and worthless creatures we all are—aye, my Lords, the highest and the proudest, no less than the lowliest and the meekest—I would pray to Him that He would bow the hearts of all here as of one man, 'to put away the accursed thing from among you'—to disclaim all part in this most unhallowed work, even though the name and the seal of our gracious Sovereign be upon it.

"My Lords, that name and that seal, affixed to such a commission—in execution of such purposes—by such instruments—fill the mind with strange musings; awaken affecting recollections; invite, perhaps, to some comparisons. But I forbear; I will not be further stirred by them than to warn the counsellors of a gracious prince—all whose thoughts and wishes and intentions are, we know, for the good and happiness of his people—to warn them, ere it be too late—while thrones are tottering, and crowns are falling around us—while they themselves are reminding us, most properly and most wisely—I thank them for it—while they are reminding us that even now God's judgments are in the earth

—to warn them, I say, that He, by Whom kings reign, may be provoked to say again, what He once said to a monarch whom He had himself placed over His own chosen people, ‘Because thou hast rejected the Word of the Lord, He hath also rejected thee from being king over Israel.’”

This speech—the first considerable effort of the bishop in the House of Lords—placed him at once in the front rank of Parliamentary debaters, and inspired even his enemies with the highest opinion of his ability and eloquence.

It was upon the occasion of this debate that Lord Radnor, ever ready to cast obloquy upon the Church or the clergy, made that disgraceful attack upon the character of the bishop which has already been referred to.

On the 27th of this same month (March), the House having resolved itself into a Committee on the Pluralities Bill, Lord King took occasion to refer once more to the parish of Woodbury\* in the diocese of Exeter, from whence, as alleged, the vicars choral of Exeter Cathedral drew an income of 600*l.* or 700*l.* per annum, while they allowed the officiating clergyman only 50*l.* or 60*l.* a-year. The Bishop of Exeter then expressed his gratification that Lord King had referred to this matter, as it gave him an opportunity of stating the real facts of the case. Instead of receiving 600*l.* per annum, as alleged, the vicars choral received only one third of that sum, and the income of the clergy-

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\* See page 300.

man instead of being 50*l.* was 100*l.* per annum. It was true that he received only 50*l.* or 60*l.* from the choral fund, but the parish made up his salary to 100*l.*, and the vicars choral had since raised it to 150*l.* per annum.

## CHAPTER XXIII.

*Anxiety as to the Fate of the Reform Bill in the House of Lords. Rumoured Intention of creating new Peers. Defection of Lords Harrowby and Wharncliffe. The "Waverers." The Bill carried. The Royal Assent. The Bishop of Exeter a Strenuous Opponent of it. His Intrepid Conduct. Abandonment of the Cause by some of the Bishops. Description of the Bishop of Exeter's Speech. Anxiety to hear the Debate. Excitement throughout the Country. The Bishop's Speech against the Bill. Importance of Publication of Parliamentary Debates. Conduct of the Editors of Newspapers. The Bishop's Speech attacked by the Times. Charged with Change of Sentiment on the Roman Catholic Question. Lord Durham uses Violent Language towards the Bishop. He is called to Order. He repeats his Charge. The Bishop's Reply. The Duke of Buckingham declares that Extracts from a Letter of his to the King had appeared in the Times, as stated by the Bishop. Indignant Speech of Earl Grey. Attack upon the Bishop. Exultation of the Radical Portion of the Press. No Real Explanation given of the Appearance of the Letter. Injudicious Conduct of Ministers. The Bishop signs the Duke of Wellington's Protest against the Reform Bill. Great Unpopularity in his Diocese. He returns to Exeter. His Preaching. Sets out on a Confirmation Tour through South Devon. Holds an Ordination at Exeter. Leaves for London to attend Session of Parliament.*



THE successful progress of the Reform Bill through the House of Commons has been already noticed.\* So far all had gone smoothly enough; but its warmest supporters could not think of its probable fate in the

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\* See page 310.

### 366 *Reform Bill carried in House of Lords.*

House of Lords without concern. It was rumoured that, if need should arise, a sufficient number of new peers would be created to ensure its success. This would have had the practical effect of altogether depriving the House of Lords of a voice in the council of the nation. They might pass the measure indeed, but it would be by the preconcerted vote of a packed assembly. If the design, however, was ever seriously entertained, it was not carried into effect, and on the 26th of March the bill was read for the first time in the House of Lords. Some of the opponents of the former bill now declared their adhesion to the new measure, their sentiments having been changed partly by a fear of consequences, and partly perhaps from a conviction that reform of some sort was needed. Foremost amongst these were Lords Harrowby and Wharncliffe, the leaders of the former opposition. The second reading was moved on the 9th of April, and the debate was continued on the 10th, 11th, and 13th, having been suspended on the 12th, in consequence of its being a levee day. Fiercely did the tide of argument roll from one side of the House to the other until seven o'clock in the morning of the 14th of April, when upon a division the second reading was carried by a narrow majority of nine.

And now the hopes of the reformers rose high. The victory was theirs, for the bill was read a third time, and passed, on the 4th of June, and three days afterwards the Royal assent was given by commission. The Bishop of Exeter continued a strenuous opponent

of the bill to the very last. A conviction of its inexpediency was so firmly implanted in his mind, that neither the example of "the Waverers" (as his brother peers who having voted against the first bill, voted in favour of the second, were styled) nor the menace of popular indignation could move him. Seldom did he exhibit his characteristic tenacity of purpose more strikingly than upon this trying occasion. Painful as it was to incur public odium, especially in his own diocese; much as he might shrink from being held up to scorn as the type of a class, who, so long as they could fill their own pockets, thought it a light matter to trample under foot the liberty of the people, he felt that his duty was imperative, and he did it.

Easy enough would it have been to have earned a transient popularity by abandoning the cause he had espoused, as the Bishops of Bath and Wells, Lichfield, Lincoln, and Llandaff had done, and who could tell how high a reward might have awaited one so gifted, if he had only thrown the weight of his talents into the ministerial scale? His speech upon this occasion was singularly characteristic, and is remarkable for having given rise to an angry discussion, which will be noticed further on. The *Morning Chronicle* of April 12th (a journal little friendly to the bishop) describes it as *the best speech on the opposition side*; and so it undoubtedly was.

While disdaining to enter upon the details of a measure which he believed to be subversive of the constitution, he showed, by comparing the English Reform



Bill with the Irish, then under consideration in the Commons, that one effect of the measure would be to dissolve the few and insufficient securities which had been left to the Established Church by the Roman Catholic Relief Bill. The aggressions of later years have shown how thoroughly the bishop understood the temper of the Roman Catholic hierarchy. It was to this part of his subject that he addressed himself with singular force and energy,—elements which were sadly wanting in most of the other speeches. The wearisomeness of details which had been so often discussed before, made the debate for the most part heavy and uninteresting. But tedious as was the progress of the bill, the excitement inside and outside the House knew no bounds. The *Spectator* says:—

“ A friend of ours describes the appearance of the House of Lords at five o'clock in the morning, when the horizontal rays of the sun began to dash through the windows, and mingle with ‘ the petty misty light ’ of the decaying candles, as hardly less interesting than the gay scenes of the Abbey on the morning of the Coronation Day. The body of the House was crowded with peers, eagerly bent forward to catch the exordium of the premier, whose tall and venerable figure appeared on the floor. The eyes of the Chancellor flamed like two diamonds ‘ in their native dew ’ under his overwhelming wig. Lord Lyndhurst’s lips were formed in their usual crafty smile. ‘ The Duke ’ looked as wooden as ever ; and nothing indicated the long, and heavy, and harassing duty in which the listeners, more than the speakers, had for so many hours been engaged. The Peereesses had kept their seats to the last. They too showed no signs of fatigue ; and one of them, conspicuous above the rest by the air of interest that still marked her countenance, seemed to show that she

was not unused to late hours, and had perhaps personal or family advantages in contemplation. It was not until the moment when the division was called that the fair lady, and her gay bevy, reluctantly withdrew, resting however in the august precincts until the fate of the question was known."

Nor was this all. An impatient crowd thronged the streets. Coffee-houses and taverns were full to choking. Popular orators were hoarse with their denunciations of a pampered aristocracy and a dominant Church. Eager listeners were never tired, and every hour swelled the crowd. Messengers were in attendance to carry the first news to the foreign embassies, and couriers, already in the saddle, were ordered to spare neither whip nor spur till the tidings had been borne to the most distant corners of the land. The question ever in men's mouths was, "What will the lords do?" It was whispered in the avenues of the palace, it was heard above the clamour of the exchange, it was the first thing talked of when men left the House of God. Woe to that august body, so it was said, if they should dare to cross the people's will!

It was on April the 11th, the third night of the debate, when the tide of popular excitement was running at the highest, and the storm of indignation against the Church was blowing its wildest, that the Bishop of Exeter rose, immediately after the Bishop of London, and spoke as follows :—

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\* Any one who reads this speech will not require an apology for its being inserted entire. As it was one of the earliest of the bishop's efforts in Parliament, so will it ever rank among the best.

“ My Lords, it was my wish not to obtrude myself on the attention of your lordships during the present debate ; and I had resolved to act on that wish, unless some of my right rev. brethren should address the House in favour of the bill. My Lords, my two right rev. friends near me have thought it necessary so to address your lordships. I trust, therefore, that I shall be pardoned if, following them with equal openness and candour, but with very unequal ability, I shall endeavour to declare the reasons which compel me to vote in opposition to them. My Lords, I feel that, of what these right rev. Prelates have said, very little indeed calls for any observations from me. That they are sincere ; that they are disinterested ; that they are persuaded that the view they have taken of this subject, and the conclusions to which they have arrived, are just, I am perfectly satisfied. Whatever observations may have been anywhere made on them, I profess, my Lords, that I am at a loss to discover any reasonable ground of suspicion against the purity of the motives which have actuated them on this occasion. The first point, my Lords, to which I think it necessary to apply myself is, the observation which was made by the right rev. Prelate who spoke last, with respect to the notice given by the noble duke opposite last night. The noble duke (Buckingham), my Lords, gave notice that he would bring in a bill for a reform of Parliament, in case of the rejection of that which is now before the House ; and it is most remarkable that this measure of reform promised by the noble duke coincides, in a very extraordinary manner, with the opinions and feelings expressed by the right rev. Prelate. Now, my Lords, I should have thought that the natural course for him to have taken would have been to say, ‘ I rejoice to find that, after all the delay which has taken place—after all the disappointment to which I have been subjected, in not having before had a measure submitted to my consideration which accorded with my views, I shall now have what I have so long wanted—a rival expedient will be proposed, which falls in so peculiarly with my

own feelings and my own notions, that I cannot hesitate to wait for it.' " [The Bishop of London: "No, no!"] "The right rev. Prelate says, 'No, no.' I do not know where I was wrong in the statement I have made of the opinions which he has expressed; but if I have misrepresented him, I am sure he will believe that I have not done so intentionally. At any rate, it must be admitted that the reason given by my right rev. friend coincides very remarkably with what I have stated of his opinions; for he finds no fault with the extent or purport of the noble duke's notice; he only says it has come too late for one who had found it necessary to make up his mind some time before. No doubt my right rev. friend had so made up his mind, but why it was necessary for him to do so I cannot conceive; and yet I am quite sure that the necessity which is felt by such a mind as his is something very strong. Be this as it may, I should have thought it time enough for him to have made up his mind when the bill was before the House, and when the question to be decided really pressed for decision; but he has anticipated that period—for very good reasons, I am quite sure, though I am at a loss to perceive them. My Lords, I should not have been surprised if any of the noble lords on this (the ministerial) side of the House had wished to get rid of this notice of the noble duke, which must be felt by them as very inconvenient. But I should have thought that, to any one entertaining the opinions expressed by my right rev. friend, and who had read the bill which I hold in my hand, the noble duke's notice would have been the most acceptable thing possible, because it affords the very best means of getting out of all the difficulty which such a person must feel. It ensures the object he has in view, the real extent of reform which he thinks necessary, and offers to deliver him from the dangers which he sees in this bill. But, my Lords, it is time for me to apply myself to the real question before the House. And what is this question? It is whether we will consent to the second reading of the bill; in other words,

whether we will approve and adopt its principle. Now, is the principle of the bill such as is fit to be adopted by this House? especially is it such as can merit the approbation of all the noble Lords and right reverend Prelates who have expressed their opinions on the limits within which a safe measure of reform must be bounded? Very far otherwise: it is very true that we have not yet very clearly ascertained what the real principle of the bill is, and to this point I will now beg leave to address my attention. We have been told by the noble earl who moved the second reading of the bill, that the principle of it is declared in the preamble. That preamble states the expediency of taking 'effectual measures for correcting divers abuses that have long prevailed in the choice of members to serve in the Commons' House of Parliament, to deprive many inconsiderable places of the right of returning members, to grant such privileges to large, populous, and wealthy towns, to increase the number of knights of the shire, to extend the elective franchise to many of His Majesty's subjects who have not heretofore enjoyed the same, and to diminish the expense of elections.' Now, I certainly think it would be impossible for any person not previously aware of the fact to conceive from this preamble that the bill itself would go not only to the absolute extinction of many rights of representation, not only to the alteration of many others, but to effect a complete and entire change in the whole representative system, in the rights of election of every county, city, and borough in England. A change such as this—a change so enormous as was never before contemplated—is not to be expected from the preamble of the bill, and if so, then I say that that preamble does not express the principle of the bill. The real principle of the bill seems to me to be a complete change in our representative system, except with respect to the Universities. Such a change has, I repeat, never before been contemplated; in my opinion such a change amounts to something very like revolution, and therefore the principle of the bill seems to me to be

revolutionary. I am well aware that the account which I before stated has been given of the principle of the bill, not only by the noble earl who introduced it, but also by a noble earl opposite, who spoke with such distinguished ability and eloquence last night (the Earl of Harrowby). That noble earl has likewise given you another principle of the bill; he has told your lordships that 'if you agree to the second reading of this bill'—in other words, if you acknowledge the principle of it—'you will admit that some considerable reform is required in the Commons' House of Parliament.' But, my Lords, though we have this very high authority for the statement that such is the principle of the measure, I cannot forget that we have had other principles attributed to it by the noble earl himself. I am far from wishing to taunt that noble earl with inconsistency in his views and conduct, in respect to this question, at different times; for I do not think it matter of blame that man should be inconsistent with himself with respect to so vast a subject. A question of this kind involves so many considerations, it must appear at different times in so many different lights to the same man, that a change in his opinions is not to be wondered at. I fully believe that nothing but the conviction of the wisdom and necessity of assenting now to this very same measure, which the noble earl six months since thought it wise and necessary to oppose, could have induced the noble earl to give it his support. But while I fully admit that voting differently at different times, with regard to questions of this nature, does not necessarily imply blameable inconsistency, I am sure that the noble earl will, on his part, admit that (though a different line of action may be now necessary in respect to this bill, though he may now feel it his duty to support the second reading which he then opposed), yet what he expressed of the principle of the bill on the 4th of October last, in opposing it, cannot be less applicable to it this night, when he thinks it proper to give it his support. In short, my Lords, truth and reason will stand still even though the noble earl may

have felt it necessary to turn round. Now, in opening this morning the speech delivered by the noble earl last October, in opposition to this measure, the first sentence that my eye fell upon was the following :—‘The principle and object of this bill are to make the Constitution more democratic. Look to the consequences of doing so.’ Again, in another place :—‘I am obliged to oppose this bill, as I consider it a change which must inevitably lead to all other changes.’ And, in a third instance, he says,—‘I think that much of the power of a government may rest in the confidence of the people ; and if that confidence be shaken, be the government in reality good or bad, it is the interest and the duty of the government to take such reasonable measures as suggest themselves to recover that confidence, and to assure its continuance. That, however, is not to be done by changing at once the whole constitution of the House of Commons.’ Here, my Lords, is the description given by the noble earl of the principle of the bill in October last : it is ‘to make the Constitution more democratic ;’ it is to effect ‘a change which must necessarily lead to all other changes ;’ it is ‘to change at once the whole constitution of the House of Commons.’ And if this was its principle then, it is not less its principle now. I assent most completely to this view of the principle, and therefore I shall vote against the second reading of the bill. My Lords, I have already said that I regard this measure as revolutionary. I know that the noble earl at the head of the Government has repelled this charge against the measure with indignation. I am glad that it was thought a charge, and that it was so answered ; for I should think it very frightful if the noble earl thought lightly of producing a revolution : but the noble earl took a distinction which he thought justified himself. He said that ‘that was not a revolution which was not either a change of dynasty or some other change that was wrought, not by the regular powers of the Constitution, but by the introduction of some force unknown to the Constitution.’ From the silence of the

noble earl I trust I have quoted his words correctly. But if such are the noble earl's notions of revolution, they are very different from mine.

"According to those notions it follows that no revolution occurred in France before the year 1792, and not until Louis XVI. fled from Paris; for up to that period, vast as were the changes that took place, all or almost all were brought about under the forms of law, and by the regular powers of the Constitution. ('No, no!') I trust that noble lords will have the goodness to correct me hereafter if I am wrong. Meanwhile I persist in my assertion, and I believe that it will hardly be disputed that every portion of the French Revolution up to June, 1792—everything that was done before that period in the way of destroying the ancient institutions of the country—was done under the forms of the Constitution, and by the regularly constituted powers of the Government of that country. Now, let us suppose for a moment that in this country a vast change was introduced by both Houses of Parliament, and sanctioned by the King—a change which went to destroy the present existing system altogether. Let us suppose, for instance, that the two Houses of Parliament were base enough to pass a bill to which the Sovereign gave his assent, making all the proclamations of the King equivalent to Acts of Parliament. Would it be said, if such a thing as this should be done, that it would not amount to a revolution? And yet it would be a change accomplished under the regular forms of the Constitution, and sanctioned by the constituted authorities of the State. We might suppose also a contrary case. Let us suppose that a Sovereign anxious for popularity, and thinking to gratify the wishes of his subjects, should descend from his throne, and with the consent of Parliament, so change all the forms of the Government as to establish a republic, or a monarchy which would be one only in name and form, with all the essentials of a real republic—this would be a change brought about by the recog-



nized constitutional authorities of the land ; and yet would any one say that such a change would not amount to a complete revolution. But this, it may be said, is putting extreme cases. Well then, I would put another which a twelvemonth ago we should all have thought an extreme one too—but which after what we have recently heard within these twenty-four hours, from a noble baron, may, I fear, be so regarded no longer. Let us suppose, my Lords, that some measure were devised the object of which should be to drown the voice of your lordships, and to extinguish for ever the independence of this House—let us suppose this to be done in all due form by the exercise of powers fully recognized by law—and thus, my Lords, a third case would occur, of which I apprehend most of your lordships would agree in opinion with me that it amounts to a revolution. (Interruption.) I must say that it is extremely inconvenient to receive lessons in this way while I am addressing your lordships. I am well aware that severe lessons will be read to me by-and-bye—and then I shall bear them as I may. Meanwhile I entreat that I may not be interrupted. After all, my Lords, however disagreeable may be the mention of the word revolution to the ears polite of the noble lords on the bench near me, I must remind them that some of the chief supporters of the bill glory in it, because it is a revolutionary measure, and advocate it as such. We all know that the public press has given great support to this bill, and we are equally aware that by the public press it is hailed as a revolution. In one of the public journals—in a journal conducted with great ability, remarkable for its great information, and distinguished for the efficient support which it has given to this measure—in that journal I not long ago read the following words, as characterizing the constitution of this land, ‘That horrid old mockery of a free government which we have hitherto been enduring.’ This is the description of the existing Constitution given in that public journal which has rendered

the most powerful support to this measure, and which is believed by many to breathe the inspirations, if not of the Treasury itself, at least of some high office or offices of the Government. I do not say that this belief is well founded—I do not say that I believe it—I only say that such a charge has been made, and that it is believed by many to be true. ('It is not true.') I have only said what is believed by many—not that I believe it. This, I repeat, is the description of a Constitution—of which Englishmen have been wont to be proud—given by one of the ablest supporters of the present bill. I find no fault with it, on the contrary I honour the frankness of the avowal. To think and speak thus is exactly what might be expected from an honest and intelligent advocate of the plan. My Lords, I will not inflict on your lordships any eulogy—or rather, I fear, I should say any elegy—of mine on our departing Constitution, but I will indulge myself with speaking of it in the lofty language in which Milton describes a complete and generous education. My Lords, for more ages than I shall stop to number, the British constitution has 'fitted the people of this land to perform justly, skilfully and magnanimously all the duties both private and public of peace and war.' This in my heart I believe to be true of our present constitution. Such in my heart I believe the British constitution to be; and believing it to be so, no earthly consideration shall induce me, by any vote of mine, to contribute to its destruction. I do not mean to go into the details of this bill; I shall rather look to its general character—and, looking at it thus, I am so forcibly struck by one of the things said of it by the noble earl opposite, that I must take the liberty of enlarging a little upon it. I allude, my Lords, to that part of the noble earl's former speech in which he spoke of the democratic tendency of this measure. My Lords, I am not disposed to be making comparisons between the different elements in the existing constitution; but I have no hesitation in saying that I consider the democratic element the

most glorious and the most valuable of all. I consider it to be the perennial source of that spirit of liberty which is the proudest distinction of our national character—the boast and glory of our country ; but while I feel it to be so valuable, I at the same time feel that it is a principle which peculiarly requires to be restrained. Like that element in the physical world which it most resembles—the element of fire—it is, while properly tempered and controlled, the most genial, the most salutary, the most invigorating, the most productive of all good ; but like that element, also, when left to its own unchecked and uncorrected workings, it becomes the most destructive and the most devastating. In the constitution, as it at present exists, I find that the democratic element has such checks and corrections as reduce it to a due temperament, and render it a safe and inestimable ingredient of the whole. These checks and corrections are found in parts of the Constitution which I fairly own at first sight appear to be the least worthy of approbation, and the most exposed to objection. I mean the nomination and close boroughs. They have been called by a noble earl this night—and I do not wish to quarrel with the expression—‘the rotten parts of the constitution.’ A great man deceased did not regard them in that light ; he distinguished them by a phrase certainly not of honour, but one which recognizes their importance and necessity—he called them the shameful parts of the Constitution.

“ Such parts of the Constitution are not the least necessary to the soundness of the whole ; and if those boroughs perform the distinctive functions which Mr. Burke says they do perform, and for which he valued them ; then I contend that they ought not to be got rid of without some equivalent check of a more seemly character. If that can be done, I shall rejoice in their abolition, but, seeing no such correctives in the present bill, I feel myself bound to adhere to the old system, or at least not to go so far in innovation as is proposed in the measure before the House. In connection with this part of the subject, there is one point to which I beg

leave to recall your lordships' attention. We have heard much of usurpations on the rights of the people ; usurpations that have been committed either by members of this House, or by other wealthy proprietors. It is said that some of your lordships have, in fact, usurped a power over the representation which particularly belonged to the people. That this has, in some instances, occurred, I readily admit : that it has occurred so often as is charged, I must beg leave respectfully to deny. There is no period, I will venture to say, in the ancient history of the Parliament of this country in which it has not been the practice of the Government to create boroughs which should absolutely be in the nomination of great proprietors. I believe I may say, with truth, that all those boroughs, the franchise of which is burgage-tenure, are of this description. Now when these usurpations on the rights of the people are charged upon members of the House and upon the great proprietors, I beg to be permitted to ask, whether there has been no usurpation on the part of the people on the rights of the Parliament ? There has been one gigantic usurpation, in comparison with which all others sink into insignificance,—I mean the publicity which is given to the proceedings of Parliament by the printing of the debates in both Houses. This usurpation upon the privileges of both Houses of Parliament is far greater, and far more important in its operation, than all those ten-times-told which have been charged against any of your lordships, or any other great proprietors, as regards any interference in the election of representatives of the Commons in Parliament. Nothing, I apprehend, can be more certain than that, by the letter and spirit of the Constitution of this country, the proceedings in the two Houses of Parliament are to be free from all influence from without, and, therefore, it is that we are presumed to be now discussing this question with closed doors. Do I lament that the practice has been changed ? Far from it : I think that the publicity given to our proceedings is the most wholesome

measure that could have been adopted. I think it the best and most complete Reform of Parliament ever devised; because, I think that no greater security can be given for the purity of conduct of both Houses than that all we do, and all we say, should be known to the whole world. Thus it has happened, that while the people have not so large a direct influence on the proceedings of Parliament, as a less restrained system of representation might afford them, still everything is done to give them a real and efficient influence. But if in order to correct the excess of the power of the members of this House, or of other great proprietors, over the representation—if, in order to correct this excess, a new measure were introduced, which would abolish the balance hitherto maintained—which would destroy altogether the influence of peers and great proprietors over the Constitution of the other House, making all elections popular—but which, at the same time, would allow the publication of the proceedings of the Parliament to be continued—if, I say, to correct the excess complained of, such a course were adopted, then would the democratic element of the Constitution obtain so vast and overwhelming preponderance, that everything else must give way to it; and it would be impossible to carry on any regular system of government. In short, my Lords, thinking, as I do, that it is necessary, as the best protection of the purity of our own proceedings, and for the satisfaction of the people, that access should be had, not only to the votes, but to the debates of Parliament, I could never consent to any measure which could exclude the public from these walls. But then, I must insist on the necessity of bearing this important consideration in mind—when we are meditating Reform, when we are discussing what shall be the new Constitution of the country; and we should take care, while we permit the people irregularly to avail themselves of an advantage of the most important kind, not so to increase their regular power, as must positively overwhelm the monarchical and aristocratical elements of the Constitu-

tion. My Lords, there is one part of the subject to which I beg leave to thank the noble baron who spoke with such extraordinary ability and eloquence two nights ago (Lord Ellenborough), and also the noble earl at the table (the Earl of Falmouth), for having directed our attention—I mean the connection of this bill with that for the reform of the representation of Ireland. As the noble earl well and truly said, the present measure, and the two bills now before the other House, must be considered as parts and parcels of the same measure. They are integral parts of one whole, and I am quite sure that none of your lordships would ask me to consider them separately, or would suppose that I am guilty of any irregularity in alluding to the Irish measure of Reform, although that measure is not yet before us, and in speaking of it and of the English bill, as one and the same conjoint measure. I say this the more confidently, because I have the example and the authority of the noble earl at the head of the Government for so doing; for the noble earl, in submitting this measure to the House, spoke of the Irish bill, and told us what was the number of additional representatives which it was proposed to give to Ireland. Now, of course, the noble earl could only have done this from recognizing its connection with the present measure. Sanctioned then by this authority, and following the course of the noble earl, I shall not scruple to make one or two remarks upon the bill for Ireland, as taken in connection with that now before the House. In the first place, then, if the Irish bill should be carried, what will become of the representation of the Irish boroughs? It will be taken from the Protestant influence and conferred upon the Roman Catholic population. Can your lordships conceive a greater change—a more important change—a more fearful change? It appears to me to be the more formidable, because I cannot disguise from myself that it is only one part of that system, which, unhappily of late, has been too much practised, of truckling to the Roman Catholics of Ireland I

see that, on every occasion, there is a readiness to yield the most high and sacred considerations connected with the religion of that country to temporal—nay, to temporary expediency. Expediency! My Lords: it is not expediency. The thing is as miserable in policy as it is indefensible in principle. It is a mere huckstering of pure religion for the brief, the hollow, the worthless support of men whom no concessions can win—who laugh at your bribes, and jeer at your elaborate and unwearied efforts to cocker, and soothe, and pamper them,—of men who no longer deign even to wear the mask of a decent hypocrisy, who proclaim their hopes—rather I should say their triumphs—of men who even now boast—and chuckle while they boast—that the oath they have taken, not to use the power which a too-confiding legislature gave them ‘to weaken or disturb the Protestant government, or Protestant religion of the country’—admits of an explanation, which makes it a key—a pick-lock—with which they may open to themselves, at once, both the citadel and the temple of our Sion. My Lords, I speak not of visionary dangers, or matters of distant and doubtful speculation. Already the days of the Irish branch of the Protestant Church are numbered. The very month of its destruction has been openly, ostentatiously, authoritatively proclaimed. It has been declared that a general election will take place in November next, and at that general election the giant-spirit of democracy will rise in all its might, and crush the Protestant Church of Ireland to the dust. This high purpose has been proclaimed—not by some mad fanatic at the Rotunda in Dublin—not by some artful demagogue, or unprincipled agitator, seeking to inflame the passions of the mob, for the advancement of the sordid views of his own miserable ambition, or more miserable avarice. No! it has been proclaimed by a British senator, in a place second in dignity only to the assembly which I have now the honour of addressing, by a man of genius and of eloquence, by a man who was not long ago selected by the Lord-Lieu-

tenant of Ireland—aye, and not unworthy on many accounts to be so selected—to represent the principles of that noble lord in Parliament. This gentleman, my Lords, whose fortunes and whose principles alike place him above the temptations of sordid lucre, and whose high faculties—for he has very high faculties—had found a full and adequate object of their ambition in the peaceful honours of the senate and of the bar—this gentleman, after having laid down all hostility to our Church—after having solemnly, and I doubt not sincerely, pledged himself to promote with all his powers the common peace and common security of all his countrymen—has been forced and goaded by the measure on which we are this night to decide, to abandon that peaceful course—to resume the post and attitude of combat, to arm himself in the cause of his Church—his now, as it is fondly deemed, triumphant Church. And while his better feelings recoil at the work before him, while he vainly struggles against the chain which binds him, he is compelled again to take the impulse of all his public conduct from the mandate of his spiritual taskmaster. In relation to this part of the question—I mean the Irish measure of Reform—there is a matter which I beg leave very earnestly to lay before your lordships—I mean the origin of the system of representation in Ireland. I am persuaded that it is not unknown to any of your lordships that the representative system in Ireland owes its origin to King James I. He established that system, not as an equal system, but avowedly as unequal. The circumstances of Ireland—its condition—the relation in which it stood towards this country—forbade the introduction of an impartial system of representation similar to our own. The system established by King James I. was formed for a small band of Englishmen settled in the midst of a hostile population—a population opposed to them in all that related to civil rights, as well as to religious feelings. Under such circumstances, King James I. felt that it was impossible that anything like a regular government could be kept up in that



country, unless either the Roman Catholic natives were treated as slaves, or the Protestant settler had a predominant power in Parliament. For this reason he openly avowed in the proclamation which he set forth at the time, and by which he created a large number of boroughs in Ireland, and divided some of the provinces into new counties, that his object in doing so was to establish a system by which the Protestant interest and the Protestant Church of Ireland should be secured. Such, my Lords, was the policy of James—such the foundation of the representative system of Ireland. Within our recollection two epochs have occurred, at which the representation of that country has undergone considerable change. I mean the Legislative Union of Ireland with this country, and the recent settlement of the question with respect to the disabilities of the Roman Catholics. On both those occasions it was decided that the Protestant interest in the representation of boroughs should be retained. In the words of the Treaty of Union, the maintenance of the Protestant Church was considered as an essential and fundamental principle in the government of the country. For that reason, it was stipulated that certain boroughs should be retained, and the corporations of those boroughs were continued in the state in which they were, under their ancient charters, for the very purpose of securing the Protestant interest. In the measure adopted three years ago—the measure for the emancipation of the Roman Catholics—that part of the Protestant security was left untouched. It was stated by the noble duke, in bringing that measure forward, as a thing absolutely essential to the good faith of this country—to the good faith of a Protestant government dealing with Protestant interests—that in making the change which he proposed, the Protestant boroughs of Ireland should be continued in their existing state. Is there, then, one of your lordships who, if told at that time, that within three years it would be proposed to do away with this security which was then so sedulously and

carefully preserved—is there, I ask, one of your lordships who would not have scouted the idea? And yet, it is so proposed in the measure now before us—a measure, the principle of which has received the assent of many noble lords, who, I believe, are as firmly attached to the Protestant interests as myself—which has received the assent, too, of some of my right rev. brethren. Now, I confess, that this has somewhat astonished me, because it is impossible, I think, for any man not to be aware of the connection between the English and Irish Reform bills, and, consequently, of the results which must follow the adoption of the first. I do not wish to state this too strongly, but, I should be wanting to the duty which I owe to the Church, in which I bear so high an office, if I did not further state that there is something in this question of a very peculiar interest as respects the highest individual in the realm. To the security of the Protestant interests—to the security of the Protestant Church—it is not only our duty, as members of the British Parliament, to pay particular attention, but it is also the particular duty of the Sovereign himself. In discussing this subject we must not forget that, by the oath which sealed the compact between the Sovereign and the people, and which we had all the happiness of seeing his present gracious Majesty take with such interesting and imposing ceremonies, a few months ago—you must not forget, I say, that, by that oath, the Sovereign bound himself to maintain, to the utmost of his power, the true profession of the Gospel and the Protestant reformed religion as by law established within these realms. Looking upon the subject in this light, I wish to put it to the noble lords who sit on the bench near me—not in a tone of defiance (which would ill become me), nor in the spirit of defiance (which I hope does not belong to me)—but calmly, and with a deep sense of its overwhelming importance, I wish to ask those noble lords whether they can conceal from themselves, on due consideration, that the

plain, simple, indisputable meaning of this oath, must prevent the Sovereign from consenting to extinguish the Protestant power, which is retained in the existing Corporations in Ireland. I put this, I say, to the consideration of those noble lords. But I must beg leave to remind the House that Ministers are not the only responsible persons on this occasion, I must be permitted to remind your lordships that each and every one of you is equally bound, not only not to lend himself to a measure of this sort, but not to aid in forcing it upon the counsels of the Sovereign. If I say this to the House at large, what must I say to my right rev. brethren in particular? Will they—will any man among them, if he really thinks that I have fairly stated the case—will he venture to sanction, by his vote this night, such a measure as this before us? I am sure that not one of my reverend brethren will do so. I am sure that, whatever pledges they may have given, they will see that no pledge can relieve them from the solemn duty of protecting the Sovereign's oath, and the interests of the Protestant Church. Having had this matter brought before their minds—even in the poor way in which it has been laid before them by myself—if, after this, they support the bill, they will do so, I am sure, because they do not see the case, as I most conscientiously avow that it is seen by me. Nothing, I am confident, could prevail on them to vote for this bill, if they thought as I think, that by voting for it they will sacrifice one great security of the Protestant cause in Ireland. I have already trespassed at too great a length upon your lordships' time: I hasten, therefore, to conclude. My Lords, it is with no ordinary feeling that I find myself speaking upon this subject in this the most august assembly in the world—aye, I repeat it,—in this the most august assembly in the world. Such this House for centuries has been—such it still is—such let us hope it may long continue to be. God grant that it may: for if it should ever cease to be the most august assembly in the world, it will become the most degraded. And why,

my Lords, will this be ? because, if this House shall fall from its proud eminence, it will fall, not by violence, from without ; for, notwithstanding all that has been said or done, the people of this country will never be so false to their own interests as to be wanting in respectful attachment to you, if you are not wanting to yourselves and them. No, my Lords, if this House shall fall from its palmy state it will fall by corruption within. It will fall by the folly, or the guilt, by the cowardice or the treachery of some, if there shall be any such, of its own degenerate members. My Lords, it has been ordained by a severe but most merciful dispensation, that those to whom great interests are intrusted cannot be false to those interests without drawing down a full measure of righteous retribution on their own heads. My Lords, to you the guardianship of the British Constitution—that Constitution which, for at least 800 years has fostered, nursed, matured, and consolidated, the liberties and the happiness of this much favoured people—to you the guardianship of that Constitution has been mainly consigned, to your fidelity, to your prudence, to your firmness. My Lords, if it fall, you will not only fall with it, but you will be ground to dust beneath its ruins. May He Who has appointed you to your high place enable you to fill it as you ought ! In this great crisis (for so we all feel it to be), in this agony of our country's fate—may He give you wisdom to see, and fortitude to pursue, steadily and fearlessly, that only path which can lead to honour or to safety—the path of duty. True, my Lords, that path is beset with difficulties and with dangers ; clouds and thickest darkness rest upon it ; but one thing is clear, is right, and one thing only—to walk uprightly is within your own power. As for consequences, they are in the power of God. Will you distrust that power ? My Lords, you will not.”

It was felt on all sides that this speech was a masterpiece of eloquence, and people were loud in its praise.

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Not the least remarkable part of it is the resiftlefs way in which the bifhop turned back the cry of invafion of rights, fo often raifed by the lower againft the higher orders againft themfelves, when he fhewed the importance of the publication of Parliamentary Debates, which had been tacitly ceded. This is a compensating element in the Conftitution which has not always received the attention which it deferves. It has grown, however, with the growth of the country itfelf; and, upon the whole, its influence has been for good, for it muft be admitted that in the communication of the tranfactions of the Houfes of Parliament the editors of public journals have ufually been guided by the ftrictest impartiality. The publicity given to all queftions, and efpecially to great meafures of finance, has in modern times been the principal, if not the fole means of reconciling the nation to a weight of taxes which might otherwife have excited it to difcontent and even rebellion. Would it now be endured that the country fhould be deprived of that information which it is moft alive to be poffeffed of, and that it fhould be kept in ignorance of what Parliament was doing at the moft critical moments of its exiftence? And yet, great as is the boon, people feem to have forgotten that it *is* a boon, and have come to look upon it as a right. The bifhop, therefore, deferves our thanks for ftating it as an element to be confidered and weighed in fettling any queftion of representative reform.

But admirable as was this fpeech, it nevertheless afforded to the enemies of the bifhop an opportunity

of indulging their spleen at his expense. The *Times* in particular (13th of April) was at great pains to show that his argument drawn from the French Revolution was unfound, and commented with severity on the rebuke administered to Lord Harrowby for turning round on the question of reform while truth stood immoveable.

"It came," says the writer, "with an ill grace from this reverend personage, who ought to have remembered that on the Catholic question truth was no less stationary than with regard to Reform, nevertheless, there were those who at that period did not stand still upon the pedestal of truth. Dr. Phillpotts, for instance, unless we are mistaken, spun *completely* round, and never ceased from turning until he settled into a bishop."

On the evening of the 13th the debate was resumed; and it was upon this occasion that Lord Durham, the son-in-law of the Premier, varied the monotony of the previous proceedings by taking violent exception to a remark which the bishop had made in the course of his speech, to the effect that the *Times* breathed the inspiration of the Treasury. Lord Durham assumed that he was the person pointed at, and referring to the Bishop of Exeter, expressed himself with great vehemence, as follows:—

"If coarse and virulent invective—malignant and false insinuations—the grossest perversion of historical facts—decked out with all the choicest flowers of his well-known pamphleteering slang"—

Lord Winchilsea here rose to order, desiring that his lordship's words should be taken down; and after some

discussion Lord Durham persisted in maintaining that "pamphleteering slang" were the only words which he considered could correctly describe the speech of the bishop; a somewhat forcible mode of expression, it must be admitted, when it is remembered to what assembly it was addressed, and the office of the person to whom it was intended to apply.

"As to the words 'malignant and false insinuations,'" the noble lord continued, "the rev. prelate in the course of his harangue insinuated that some of his Majesty's ministers were unbecomingly connected with the press. From the terms in which that insinuation was couched, I could have no doubt that he alluded to me. It would be gross affectation in me to deny it—the more especially as I had been previously told by those who had read those papers that the same charge had been made against me by name, in those weekly publications which are so notorious for their scurrility and indecency. When, therefore, I found that charge repeated, in this House, in terms which neither I, nor any man living, could misunderstand, I determined to take the earliest opportunity of stating to your lordships that it was as false as scandalous. I now repeat that declaration, and pause for the purpose of giving any noble lord an opportunity of taking down my words."

After a short interval, Lord Durham proceeded to enlarge upon the merits of the Reform Bill. At the conclusion of his speech, Lord Carnarvon and the Bishop of Exeter rose at the same time, but there was a general call for the latter to proceed; Lord Carnarvon therefore sat down, and the bishop of Exeter said,—

"I have been charged, my Lords, by the noble baron, with having made a malignant and false insinuation. I must,

therefore, beg permission of your lordships to explain a part of what I said on a former night. As well as I can remember, speaking of the *Times* newspaper, I said that I supposed it was in some way or other connected with Government. The exact words I used are not present to my mind, but they were something about certain articles, breathing the inspiration—not of the Treasury, because I acquitted the noble lord at the head of it of any connection with the *Times*. (Laughter from the Ministerial benches.) What I say seems sport to noble lords near me, and I hope it will not be thought a very serious matter to myself. When I gave utterance to what has been the subject of remark, I by no means meant to fix upon any individual in particular; but in my own mind I did think that the rumours respecting the noble baron were not unlikely to be in some degree true. (Some noble lords here required the bishop to speak out.) I will endeavour to speak up, so as to be heard, but it is my misfortune not to have many friends near me, excepting the right rev. friends by whom I am surrounded. The noble marquis (Clanricarde, it was believed), if he has anything to say, ought to speak so that I may answer him. I assure the noble baron that I was not anxious to press upon the notice of the House the particular part of my speech which he refers to. I spoke generally, because, I fairly own, I had not evidence beyond apparent probability. But while I did not wish directly to charge the noble baron, give me leave to say, that what I alluded to was not the only occasion on which there has been an apparent connection between the Government and the newspapers. One instance weighs with me more strongly than it may with the noble marquis. About five or six weeks ago—[‘order, order’]—a charge has been made against me, and, if not irregular, I wish to advert to it. There was a statement in the *Times* newspaper regarding a correspondence with the noble duke, whom I see opposite (the Duke of Buckingham)—I hope he will forgive my speaking of it in this way in his presence; and it is my earnest



hope that he will contradict me if I state what is untrue, and correct me if I state what is improper. About the 23rd of January, or some such period, there was a direct allusion in the *Times* to a supposed correspondence between that noble duke and his Majesty, as well as between a noble duke and his Majesty's secretary. The nature of the correspondence appeared to be stated with such particularity, that, if it were at all true, it seemed to me that the information must have gone to the newspaper from some person who had had access to the correspondence. It seemed to me also more probable that it should have found its way to the public from some member of his Majesty's Government, than from the noble duke. Most certainly, I have no hesitation in saying that it does appear to me that it must have gone to the newspapers through some person who had access to the Government papers."

The Duke of Buckingham then rose, and fully confirmed the statement of the bishop, saying that in his capacity as a peer of the realm he had written the letter referred to, and had transmitted it to the King through his Majesty's secretary, in the usual and regular way. He further stated that he had given no one a copy of that letter, and had only read it to two members of his own family, to the Duke of Wellington, and to one other person, and that part of this letter was inserted *verbatim* in the *Times* newspaper. This announcement was received with loud and repeated cheers from the opposition benches. Earl Grey rose in the midst of the tumult—for it was scarcely less—and, after waiting a short time for a hearing, expressed his sorrow that the debate should have been interrupted by such a discussion. He then went on to say, in language which M. Guizot, when speaking of his treatment

of Canning, has well characterized as "haughty and contemptuous violence," that the fact, as stated by the Duke of Buckingham, was perfectly true. The King *had* received the letter, and, acting as a constitutional monarch, had sent the letter to his minister.

"I can say, upon my honour as a peer," he continued, "that I gave no copy. I certainly did communicate it to my colleagues—it was my duty to do it; and I think I can say for them, as I assert for myself, that it was not from them, nor from any person connected with them, that any part of the letter, any allusion to it, or abstract of it, found its way into the public papers. No person was more astonished than I was when I saw an allusion to it. I do not know whether it is necessary for me to say more upon this subject; but I can safely say that what was printed did not proceed from his Majesty's advisers. As a person standing in an ostensible situation in the Government, I disclaim any connection with any one publication, and I most distinctly deny that I have done anything to influence a single newspaper. But the right rev. prelate said, on the former night, that he had heard these things, and he believed them; but if I am mistaken, I beg his pardon."

The Bishop of Exeter.—"I did not say that I believed them, but that they had been believed."

Earl Grey continued:—"That they have been believed. (Great confusion; cries of 'order' and 'spoke.') I certainly understood the right rev. prelate to express the impression on his own mind that there was truth in the charge. He has undoubtedly said that there were insinuations against other members of the King's Government, and he added that he had heard a story of my noble friend near me (Lord Durham). Now, mark the charity of the right rev. prelate—I say, mark his charity—mark what he does not think improbable! That my noble friend near me, connected with me not only by the bonds of office, but by the nearest, dearest,

and closest ties of relationship, has been guilty not merely of fraud, but falsehood, and has secretly and insidiously furnished newspapers with the means of attack upon the very Government of which he is a member. That this he was ready to do, and actually did, at the expense of tearing asunder the tenderest and dearest ties of affection. If this be charity—if this be the charity of a Christian bishop, I am much deceived in the true nature of that virtue.”

The Bishop of Exeter then said :—

“I rise only to explain. I never meant to charge the noble baron with communicating any particulars to the *Times*; but I said that there was an apparent general connection between that paper and the Ministry. If a declaration of what was passing in the inner mind be extorted from it, it is a little too much to say that I meant it for an insinuation. I declared from the first that I did not mean to charge the noble baron with any particulars. Some of my right rev. friends did not even think that I alluded at all to the noble baron.”

The Radical portion of the presb were elated beyond measure at what they were pleased to consider the overthrow of the unpopular Bishop of Exeter. The *Morning Chronicle* sounded a note of triumph in this way :—

“In the early part of the evening the Bishop of Exeter was humbled to the dust. Lord Durham treated him as a calumniator of the first magnitude; and the doughty prelate fared still worse, after his awkward attempt at explanation, from a severe castigation from Earl Grey. It is much more safe to slander in a Review, or anonymously, than in an assembly where the injured can defend themselves.”

But, in spite of all this, and much more, *there was the letter*, or, at all events, portions of it, so like the

original that Lord Grey himself could neither deny the similarity, nor account for its appearance in the *Times*. No parliamentary skill could explain away this ugly fact, or even tone it down. There it was, and there it must remain—a mystery. If the Ministers had been put upon their trial for the publication of the letter, it is certain that any jury would have convicted them; and far wiser would it have been if they had allowed the bishop's well-merited rebuke to pass in silence. They had much better not have accepted his challenge. Facts were against them, and an ill-judged desire to clear up that which admitted of no clearing up only threw out their conduct in bolder relief. Every unprejudiced reader, looking at the affair as a question of evidence, will feel convinced that the bishop had sufficient grounds for his assertion, and that nothing which was said in way of explanation tended in the least degree to alleviate the smart of the lash which he had so severely, but justly, administered.

After the second reading of the Reform Bill had been carried, the Duke of Wellington entered a protest against it on the journals of the House. It was subsequently signed by the Bishop of Exeter, and seventy-two peers, including the Royal Dukes of Cumberland and Gloucester.

It may be well thought that the strenuous opposition of the bishop to the Government measure of Reform did not increase his popularity. Deep and ominous were the murmurs which were heard in his

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own diocese, while, in the county of Durham, his effigy was publicly burnt with every demonstration of contempt. But, bitter as was the feeling against him, the bishop was not to be driven from the path of duty by signs of popular displeasure, however menacing. He had not feared the angry peers, and he was not likely to fear a discontented people. Very shortly after the division upon the second reading of the Reform Bill he set out for Exeter, and arrived at his palace on the Wednesday in Holy Week, April the 18th, and, having administered the rite of Confirmation at Exmouth on the 21st, preached the next day (Easter Day) in the cathedral to an overflowing congregation. Even his enemies could find no fault with his preaching; and, if they were not conciliated towards the *man*, they could not deny the rare abilities of the *preacher*. Those who heard the bishop in his prime say that there was a quiet dignity about his eloquence which at once arrested attention, and claimed respect, where the highest efforts of a more florid orator would have fallen powerless. Be this as it may, certain it is that, in the later days of his life, there has ever been a charm about his public addresses against which it would be hopeless to struggle.

Immediately after this the bishop set out on a confirmation tour through the south of Devon, visiting in turn Dawlish, Teignmouth, Torre, Paignton, Brixham, Dartmouth, Harberton, Totnes, and Newton. On the 29th of April he held an ordination at Exeter, at which twelve deacons and thirteen priests were

ordained ; and on the following day he confirmed the large number of 852 persons in the cathedral. A few days afterwards he left for London to attend Parliament, confirming at Sidmouth and Axminster on his way.

## CHAPTER XXIV.

*Reform Meeting at Exeter. Three Groans for the Bishop. Violent Conduct of the People of Exeter. Ministerial Plan of Education in Ireland. Uncompromising Opposition of the Bishop. Lord Belhaven's Petition. The Bishop's Remarks upon it. Separation of Religious from Secular Instruction denounced. Meaning of Moral Instruction. The Bishop attacked by the Lord Chancellor on the subject of the Duke of Buckingham's Letter to the King. Explanations by the Bishop. Violent Language of Lord Grey. The Bishop entreats that the Discussion may not be continued. He revives it himself two days later. Imprudence of the Step. He repeats his former Statement, with further Explanations. He maintains that Lord Grey understood the Matter in the same way as himself. Returns to Exeter. Engages a Villa at Teignmouth. Preaches at Wolborough.*



HE bishop had scarcely reached London when a large reform meeting was held at Exeter, presided over by the mayor, at which three hearty groans were given for his lordship. This ebullition of feeling is to be ascribed to the uncompromising opposition which he had shown to "popular" measures, and is, upon the whole, to be regarded as an honour. The conduct of the enlightened citizens of Exeter upon this occasion foreshadowed their daring profanity in later days, when they scrupled not publicly to burn the symbol of man's redemption in front of the west door of the cathedral, amidst the plaudits of not a few of the inhabitants whose wealth had purchased for them the title of respectable. The

hisses and groans of such a multitude would ever be more melodious to the ears of a good man than their heartiest cheers.

The ministerial plan of education in Ireland still continued to occupy as large a share of public attention as could be spared from the all-absorbing question of reform. Numerous petitions were presented to Parliament against it, and the bishop was ever in his place ready to resist the progress of the measure, and to expose its perilous character.

On May the 24th and June the 2nd the presentation of petitions afforded him the opportunity of making a few observations; and on July the 3rd, when Lord Belhaven presented a petition from the General Assembly of the Kirk of Scotland, stating their approval of the national plan of education adopted by the Government for the instruction, as well religious as otherwise, of the poorer classes of Ireland, both Protestants and Roman Catholics, the bishop rose and made some powerful remarks upon the unsatisfactory way in which the petition had been drawn up, alleging that it had been adopted in error, and did not do justice to the feelings of the General Assembly. Speaking of the proposal for separating religious from secular instruction, he denounced it as a tremendous symptom of the times, when a national system of education could be founded upon a plan of separating the literary, and even the moral, instruction of the people from a knowledge of their religious obligations. In his estimation, moral instruction not only ought to impart a knowledge



## CHAPTER XXIV.

*Reform Meeting at Exeter. Three Groans for the Bishop. Violent Conduct of the People of Exeter. Ministerial Plan of Education in Ireland. Uncompromising Opposition of the Bishop. Lord Belhaven's Petition. The Bishop's Remarks upon it. Separation of Religious from Secular Instruction denounced. Meaning of Moral Instruction. The Bishop attacked by the Lord Chancellor on the subject of the Duke of Buckingham's Letter to the King. Explanations by the Bishop. Violent Language of Lord Grey. The Bishop entreats that the Discussion may not be continued. He revives it himself two days later. Imprudence of the Step. He repeats his former Statement, with further Explanations. He maintains that Lord Grey understood the Matter in the same way as himself. Returns to Exeter. Engages a Villa at Teignmouth. Preaches at Wolborough.*



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forth with the thin veil which the right rev. Prelate cautiously spread over it." He concluded by saying that he felt only disgust at the time, and now he felt nothing but contempt. It must be confessed that this is strong language—stronger indeed than is usually applied to any member of the Episcopal Bench—stronger probably than Lord Grey would have thought it safe to apply to a layman. But some allowance must be made for heated feelings, and the unsatisfactory position in which the Government was placed. The Marquis of Salisbury called upon the House to take notice of the terms which had been used; but the bishop entreated that the discussion might not be pursued any further, expressing his regret that he had been the cause of raising the excitement. Whether his public life had been such as to justify the expression of contempt on the part of Lord Grey, he was contented to leave to those who had observed his conduct. He would say nothing further than that he trusted to his character to protect him against such a remark.

This unseemly discussion was then allowed to drop.

Two days afterwards, however (July the 5th), it was revived by the bishop himself, who, on presenting a petition from the archdeacon and clergy of the Archdeaconry of Totnes, against the Government system of education in Ireland, took occasion to refer to the proceedings of the recent debate, desiring, as he said, to set himself right with the House on a matter of fact. Considering the state of feeling so recently exhibited by the prime minister as well as by other members of

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Sunday in the month he preached at Wolborough, near Newton Abbott, on behalf of the National School, and a very impressive sermon was responded to by a liberal collection. While residing at Teignmouth the living of Pinhoe near Exeter fell to his gift, and he bestowed it (20th of July) on the Rev. Dacres Adams.

## CHAPTER XXV.

*Appearance of the Cholera in Exeter. Disgraceful Condition of the Principal Cemetery. The Order in Council for providing Special Burial-grounds not applicable to Exeter. Offer of a Field on S. David's Hill for Interment of Cholera Patients. Dissatisfaction of the Parishioners. Shocking Scene at a Funeral. Committee appointed to select a suitable Spot. The Bishop applied to for his Licence. His Reply. Much Time lost. The Bishop unjustly blamed for the Delay. Bury Meadow appropriated as a Cholera Burying-ground. The Bishop grants his Licence. A Day for Prayer and Humiliation appointed. Special Service at the Cathedral. The Cholera abates. A Day appointed for Thanksgiving. The Bishop preaches at the Cathedral. Meeting at the Guildhall to present a Testimonial to the Medical Men. The Bishop proposes the Resolutions. His high Praise of the Conduct of the Medical Men. Censured for having been absent from Exeter during Ravages of the Cholera. His Absence explained.*

 HE cholera, which had been devastating other parts of England, broke out in Exeter on the 19th of July (1831). Its appearance found the good city unprepared to receive it, and great was the consternation when it became known that the plague had actually begun. The principal cemetery had long been a disgrace to the municipal authorities, being in close proximity to a crowded part of the town, and surrounded with houses. It was totally incapable of answering the demands which were about to be made upon it. An Order in Council had empowered parishes to provide

private burial-grounds for those who died of cholera, but unfortunately this could not be made applicable to Exeter. Towards the end of July a remonstrance was addressed to the Board of Health against any further burials taking place in the cemetery (Bartholomew Yard). Meanwhile the corporation of the poor had generously offered a portion of Bury Meadow for the burial of cholera patients. This was a field situate on S. David's Hill, and tolerably remote from any dwelling-house. But if the rest of the city were satisfied with this arrangement, the parishioners of S. David's were not disposed so easily to acquiesce. It was bringing the pestilence too near to their own doors, they thought; and so when a corpse was about to be interred there they rose in tumult and prevented the burial. The sexton took to his heels, and a strong party remained close at hand during the night to resist any further attempt at interment.

The selection of an appropriate spot for burials then became a serious question. A cemetery committee was appointed, and after examining various sites they came to the conclusion that no spot was so favourable as Bury Meadow. To enable the clergy to perform funerals there it was necessary that it should be licensed by the bishop. A deputation was therefore appointed to wait upon his lordship; to which he returned the following reply:—

“Bridestowe, 12th August, 1832.

“The Bishop of Exeter having this day received a communication from the Mayor of Exeter, in person, as chair-

man of the Board of Health, attended by Mr. Pearse, a member of the Board, and by Mr. Dymond, with a plan of the ground proposed to be assigned as a cemetery for the interment of the bodies of persons who have died of cholera, has given immediate attention to the circumstances of the case, and has no difficulty or hesitation in saying that, supposing these circumstances to have been accurately represented in the plan and measurements submitted to him, he will have real gratification in granting his licence for the purpose.

“The circumstances which have induced him to come to this decision are, that no footpath traverses the piece of land proposed; that, on the contrary, the path, at the nearest point, is distant 180 or 200 feet, or thereabouts; that only one house is in the neighbourhood, and that at a distance of more than 500 feet; that S. David’s Church is at about the same distance; that the land may be approached by a road of little traffic, and not actually contiguous to it, but nearly 100 feet distant from it.

“If these particulars are as described, the place seems to the bishop as little liable to reasonable objection as can be hoped. He will, therefore, grant his licence, unless these particulars be disproved, or other objections of real weight stated, which do not occur to his mind at present.

“His necessary absence from Exeter, and his frequent change of station in the course of the next few days,\* will cause delay in preparing the instruments and submitting them for his signature. Meanwhile, he cannot wish the use of the ground to be delayed. Those, therefore, of the clergy of Exeter whose parishioners may need their service on this melancholy occasion, will not incur any censure from him if they immediately bury corpses in this ground, unless they are satisfied that the facts of the case are not such as have been stated above.

“The bishop depends on the mayor having the good-

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\* He was on a Confirmation tour.



408 *Bury Meadow a Cholera Burying-ground.*

nefs to make an immediate communication of the contents of this paper to the minister and churchwardens of S. David's, in order that an immediate opportunity may be afforded to them to state any objections, or make any observations, which they may wish, before the licence issues. The movements of the bishop may be known by consulting the paragraphs of the newspapers, which state his route. He purposed being at Teignmouth on Thursday evening the 16th instant."

A comparison of the date of this letter with the breaking out of the pestilence in Exeter (19th July) will show that much valuable time had been lost. Meanwhile, the state of the cemetery had become appalling. It was most ungenerous and unjustifiable, however, to fasten the blame of this delay upon the bishop, as a portion of the press endeavoured to do. As soon as the application was made to him he responded to it. And what more could he do? If the inhabitants of Exeter were so little alive to their own interests as to spend a whole month in quarrelling over the selection of a burial-ground, while the cholera was raging with fearful violence among them, the fault was all their own, and they had no right to complain if they paid the penalty of their procrastination.

A few days after the receipt of the bishop's letter Bury Meadow was appropriated by the corporation of the poor to be a cholera burying-ground for ten years from the date of the last interment. The parishioners of S. David's were still dissatisfied with the arrangement, and a deputation was appointed to wait upon

*Day for Prayer and Humiliation.* 409

the bishop, in the hope that he might be induced to withhold his licence. It was plain, however, that their complaints were frivolous, and that similar objections might be raised against nearly every other spot of land in the neighbourhood of the town; the bishop, therefore, caused his licence to issue on the 17th of August.

Meanwhile the pestilence was increasing in violence; drunkenness and the most revolting profligacy among the poorer classes only too surely preparing its way. It was under circumstances of almost universal desolation, when men's hearts were failing them for fear, that Wednesday, August the 22nd, was appointed for special prayer and humiliation. The bishop was absent from the city, but he arrived the evening previously, and after attending the special service at the cathedral in the morning, left Exeter to resume his Confirmation tour.

Never, within the memory of the oldest inhabitant, had a Sunday been kept with greater strictness than the day appointed to supplicate God to remove His plague from a repentant people. All worldly business was, as far as possible, suspended. The churches were open morning and evening, and were thronged with devout worshippers. The mayor and chamber attended the special service at the cathedral, when an appropriate and impressive sermon was preached by the Rev. Dr. Barnes, Archdeacon of Barnstaple, from Isaiah li. 12, 13.

About the middle of September the pestilence began

to abate, and, on the suggestion of the bishop, Thursday, October the 11th, was set apart for the purpose of thanking God for removing it from Exeter. The day was observed with great solemnity. Business was suspended; public houses were closed; churches were thrown open morning and evening, and a special service was held in the cathedral, at which the mayor and chamber were present, when the bishop preached from 2 Sam. xxiv. 14 and following. Shortly after this it was determined to offer to the medical gentlemen of the city a tribute of gratitude, in token of the high value set upon their services during this trying emergency. A public meeting was accordingly held in the Guildhall, the 22nd of October, the mayor in the chair, for the purpose of taking the matter into consideration.

The bishop, it appears, had not been informed that the meeting was convened, and only received intelligence of it half an hour before it assembled. Determined, however, not to be wanting upon such an occasion he hastened to the Guildhall, and arrived in time to propose some resolutions, which were unanimously adopted. In the course of his speech he paid the following well-deserved tribute to the zeal and energy of the medical men:—

“It is well known that when the fearful disease first made its appearance in this city, the laudable exertions of the medical practitioners were met, from the effect of unhappy prejudice, by the most inveterate hostility on the part of the poorer classes; but this unfounded feeling they afterwards deeply lamented, and they will now be enabled, as I am

sure they are most eager to do, to add their testimony to that of their fellow-citizens, of the deep sense they entertain of the singular skill, as well as great attention displayed on a most trying occasion by our estimable medical practitioners. When the disease first exhibited itself in this city, it found us, from its new and formidable character, surrounded with many difficulties, calculated to excite great fear and apprehension; but the medical gentlemen found the means at once of opposing, in a great degree, all the tremendously perplexing circumstances with which we were encompassed. Such indeed was their persevering devotion to the cause of suffering humanity, that they did not leave their post, by day or night, so that by their admirable arrangements, no matter what might be the hour, or in what part of the city, whenever an individual, however poor and destitute might be his or her condition, was attacked with the symptoms of the destructive malady, a skilful, able, and affectionate attendant was, in a very short space of time, at hand to render all the assistance which human aid could minister; and it must be considered, that, under the blessing of Divine Providence, we owe to the skill and ability displayed in the successful treatment of the disease, and to the efficient plan adopted for its speedy application, the happy cessation of the malady among us. If, then, this city has ever been distinguished for medical science, it is not now the less distinguished by the talents of the members of that honourable profession residing within this city, who, without any hope, in numberless cases, of receiving even the miserable fees to which they are by right entitled, have by overworking the energies of their bodies, as well as the powers of their minds, succeeded in arresting, under Providence, the progress of a disease which threatened no one can tell what extent of destruction; and although we cannot look for a perpetual cessation of the disease amongst us, we have the consolation of knowing that, should it again appear within our city, it will be met with the same skill and perseverance, and with the blessing of Providence be again subdued. I really feel

#### 412 *Explanation of the Bishop's Absence*

that I am doing great injustice to the cause I have taken in hand; but I trust this will, in some measure, be attributed to the very short period of time that has elapsed since I first became acquainted with your intention of meeting. At the same time I feel assured that no language I could have used would have done anything like justice to the skill and disinterested devotion of the medical gentlemen, or by any means adequately expressed the feelings of the public on this occasion. I will not detain you longer, but beg at once to move the Resolutions."

But while the bishop was extolling the conduct of the medical men, his detractors were loud in censuring his own. Why had he quitted his cathedral city, they asked, at a season of such unprecedented sadness? Why had he not given the clergy the comfort of his presence in the discharge of their trying and perilous duties? It is true enough that the bishop was absent from Exeter, with the exception of two or three hurried visits, during the whole time in which the plague was raging, and thus a kind of colour was given to these complaints. But he was not consulting for his own safety, or seeking his own convenience, much less was he flying from duty; and they who attribute fear to him can know little of those iron nerves which the presence of no danger has been strong enough to shake. The truth is, he was absent on a Confirmation tour, planned some time previously, the due completion of which was of paramount importance to the various parishes which he designed to visit. No thought, therefore, of danger or personal inconvenience could induce him to change his plan. While his family, then, were in comparative safety in the pleasant water-

*during the Ravages of Cholera.* 413

ing place of Teignmouth, the bishop was traversing his diocese from parish to parish, confirming the younger members of his flock, and showing that the presence even of the cholera itself was in his judgment no bar to their receiving the means of grace.

## CHAPTER XXVI.

*Confirmation Tour. Consecration of Bedford Chapel. The Bishop's Letter to the Mayor on the Question of postponing it. The Bishop presents to a Living by "lapse." Remarks on it. The Precentorship of Exeter Cathedral. Further Promotion of the Bishop's Son. The Bishop and his Family return to Exeter from Teignmouth. Anniversary of Society for Propagating the Gospel in Foreign Parts. Ordination. Close of the Second Year of Episcopate.*



THE Confirmation tour referred to in the last chapter commenced on August the 6th, and continued until the 16th of the same month. It was renewed on September the 1st, and terminated on the 15th.

At intervals during this time the bishop paid short visits to Exeter; upon one occasion for the consecration of Bedford chapel, a hideous building which had recently been erected. It had been arranged that it should be consecrated on August the 4th; but as the cholera was then raging in the city, the bishop was doubtful about the propriety of proceeding with the ceremony, for reasons which are assigned by his lordship in the following letter to the mayor (William Kennaway, Esq.):—

“Dear Sir,                      “Teignmouth, 2 August, 1832.

“Under the peculiar circumstances of the time, when it has pleased God to send the cholera into our city, I feel it my duty to communicate with you before I finally resolve on

performing a ceremony which may draw a large concourse of people together, and so may endanger the further propagation of the disorder. I allude to the intended consecration of the new church in Bedford Circus. If you, under the advice of the Medical Board, wish that the ceremony should be deferred, I shall certainly comply. In saying this, I assure you that I have no personal apprehension, nor do I myself foresee any greater danger than from a large congregation at church on an ordinary occasion, unless it be probable that there will be a confluence of persons from the infected parts of the place. If there be not the probability of danger, I would greatly prefer letting the service proceed as was intended.

“ Your faithful Servant,

“ The Right Worshipful  
the Mayor of Exeter.”

“ H. EXETER.

The bishop's letter was duly considered ; and it having been intimated that no risk of a confluence of persons from infected parts was to be anticipated, his lordship came to Exeter and consecrated the chapel on August the 4th, and after the service immediately left for Teignmouth.

On the 17th of this month (August), he presented the Rev. Robert Gee to the vicarage of Paignton, near Torquay. This was by lapse. It will be necessary to explain the principle of “ lapse,” and the use to which it has been turned by the bishop. And this is the more imperative since his conduct, in this particular, has been the subject of severe and very extensive animadversion. Instead, however, of entering upon the question in this place it is thought more convenient to postpone it till the case of a living comes under



#### 416 *Further Promotion of the Bishop's Son.*

consideration which was the subject of protracted litigation, and which furnished occasion for bitter remark. The various instances in which the bishop has availed himself of a "lapse" to present to benefices will then be examined.

The Confirmation tour being ended, the bishop returned to Exeter, and immediately afterwards left for Teignmouth, where his family were still staying.

The precentorship of the cathedral having become vacant by the death of the Rev. Thomas Bartlam, the bishop conferred it on the Rev. Thomas Hill Lowe (afterwards Dean of Exeter), and at the same time collated him to a prebendal stall in the cathedral. This gentleman had hitherto held the vicarage of Grimley, with the chapel of Hallow annexed, in the diocese of Worcester; a comfortable piece of preferment, which he resigned on being promoted to cathedral honours in Exeter, and to which the bishop's son, the Rev. John Phillpotts, of whom mention has been made already,\* was collated. The Rev. Uriah Tonkin was presented by the bishop to the living of Uny, vacated by his son, Mr. Phillpotts.

Early in October the bishop and his family returned to Exeter, where he continued in residence at the palace for several weeks. On the 25th of that month the anniversary of the Society for Propagating the Gospel in Foreign Parts, and the Society for Promoting Christian Knowledge, was held. The civic

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\* See page 325.

*Close of Second Year's Episcopate.* 417

authorities walked in procession to the cathedral, and, after an impressive sermon by the bishop from Matt. xxiv. 14, a collection was made, amounting to 74*l*. After service there was the usual meeting at the Guild-hall, the bishop in the chair; but the proceedings were of the ordinary character, and require no notice.

On the 28th of October—still in disregard of the Ember Season—an Ordination was held in the cathedral, at which nine deacons and fourteen priests were ordained.

The next two months were spent by the bishop in the general work of superintending his diocese. He frequently preached in the churches of Exeter and the neighbourhood, and his discourses were invariably listened to by a reverent and respectful congregation. Nothing worthy of record occurs to mark the close of the second year of his episcopate; but the year that was opening was destined to be an eventful one.

## APPENDIX.

## A.

*Chronological List of the Bishops of Exeter.*

- A. D.
- 1050. Leofric.
  - 1073. Osbern, or Osbert.
  - 1107. William Warelwaft.
  - 1138. Robert Chichester.
  - 1155. Robert Warelwaft—nephew to William, the third  
Bishop.
  - 1161. Bartholomew.
  - 1186. John.
  - 1194. Henry Marshall.
  - 1214. Simon de Apulia.
  - 1224. William Briwere, or Bruere.
  - 1245. Richard Blondy.
  - 1258. Walter Bronescombe.
  - 1280. Peter Quivil.
  - 1292. Thomas de Bytton.
  - 1308. Walter de Stapledon.
  - 1327. James Barkley.
  - 1327. John de Grandiffon.
  - 1370. Thomas de Brantyngham.
  - 1395. Edmund Stafford.
  - 1419. John Catterick.
  - 1420. Edmund Lacy.
  - 1458. George Nevylle.
  - 1465. John Bothe.
  - 1478. Peter Courtenay.

- 1487. Richard Fox.
- 1493. Oliver King.
- 1495. Richard Redmayne.
- 1502. John Arundell.
- 1504. Hugh Oldham.
- 1519. John Veysey. (Deprived 1551.)
- 1551. Myles Coverdale.
- 1553. John Veysey. (Restored.)
- 1555. James Turberville.
- 1560. William Alley.
- 1571. William Bradbridge.
- 1578. John Woolton.
- 1595. Gervase Babington.
- 1598. William Cotton.
- 1621. Valentine Cary.
- 1627. Joseph Hall.
- 1642. Ralph Brownrigg.
- 1660. John Gauden.
- 1662. Seth Ward.
- 1667. Anthony Sparrow.
- 1676. Thomas Lamplugh.
- 1688. Jonathan Trelawney.
- 1707. Offspring Blackall.
- 1716. Lancelot Blackburn.
- 1724. Stephen Weston.
- 1742. Nicholas Clagett.
- 1746. George Lavington.
- 1763. Frederick Keppel.
- 1778. John Rofs.
- 1792. William Buller.
- 1797. Henry Reginald Courtenay.
- 1803. John Fisher.
- 1807. George Pelham.
- 1820. William Carey.
- 1830. Christopher Bethell.
- 1831. Henry Phillpotts.

It occasionally happened that some time elapsed between the death or translation of a bishop and the appointment of a successor. It cannot, therefore, always be ascertained with accuracy from the figures how long the episcopate of each lasted.

It is worthy of remark that, of the sixty bishops of Exeter, only three have filled the episcopal chair for a longer period than the present occupant, viz :—John de Grandisson, who was consecrated in 1327 and died in 1369, having been bishop for forty-two years ; Edmund Lacy, who was translated from Hereford in 1420 and died in 1455, having been bishop for thirty-five years ; and John Veyfey, who was consecrated in 1519, and was deprived in 1551, after an episcopate of thirty-two years. He was restored in 1553, and died the following year, having been bishop for thirty-three years, not including the time during which he was deprived.

## B.

### *Oath to the Pope taken by Roman Catholic Prelates.*

“I, N. N., Archbishop or Bishop of the Church N., will henceforward be faithful and obedient to S. Peter the Apostle, and the Holy Roman Catholic Church, and to our Lord N. Pope, and his successors canonically instituted. I will not in counsel, in consent, or in deed, be accessory to their losing life or limb : or that they be taken by wrongful caption ; or violent hands, in any sort, be laid upon them ; or any injuries inflicted, under any pretence whatever. Moreover, the counsel which they shall entrust to me by themselves, or by their Nuncios, or by letters, I will not disclose to any one to their loss knowingly. The Roman Papacy and the Royalties of S. Peter I will assist them to retain and defend (*salvo meo ordine*) against every man. The Legate of the Apostolic See, in his journeys to and fro, I

will honourably entertain, and will assist in all his needs. The rights, the honors, privileges, and authority of the Holy Roman Church, of our Lord the Pope, and of his successors aforesaid, I will take care to preserve, defend, augment, and promote. Neither will I be in counsel, nor in act, or enterprise, in which any things be devised against the same our Lord, or the same the Church, hurtful or prejudicial to their persons, right, honor, state, or power. And if I shall know any such things treated of, or prepared, I will hinder it, to the best of my power; and, as soon as I can, will signify it to the same our Lord, or to some other by whom it may come to his knowledge. The rules of the Holy Fathers, decrees, ordinances, or dispositions, reservations, provisions, and mandates apostolic, I will observe with all my might, and will make to be observed by others. When called to a Synod I will come, unless I shall be prevented by a canonical impediment. The apostolic residence I will visit myself in person every ten years; and to our Lord and his successors aforesaid will render account concerning my pastoral office, and concerning all things to the state of my church, to the discipline of my clergy and people, appertaining; and the mandates Apostolic given thereupon I will humbly receive, and with all diligence perform. But if by any legitimate impediment I shall be detained, all the things aforesaid I will fulfil by a sure messenger, having special commission for that purpose, out of the bosom of my chapter, or another placed in a dignity ecclesiastical, or otherwise having a parsonage, or, in defect of these, by a diocesan priest; and if there be no clergy, by some secular or regular Presbyter of tried probity and religion, fully instructed concerning all the things aforesaid. But, respecting the impediment aforesaid, I will give lawful proofs, to be transmitted through my said messenger to the Cardinal of the Holy Roman Church, prefect of the congregation *De propaganda Fide*. Moreover, the possessions to my table appertaining I will not sell, nor give, nor pledge, nor put

in feoffage anew, or in any way alienate, even under the consent of the chapter of my church, without first consulting the Roman Pontiff. These things all and severally I will the more inviolably observe, the more assured I am that nothing is contained therein which can conflict with my due fidelity towards the most serene King of Great Britain and Ireland, and the successors to his throne. So help me God, and these Holy Gospels of God.

“So do I, N. N., Archbishop or Bishop of the Church N., promise and engage.”

## C.

*Oath to be taken by 3 James I. c. 4. s. 18.*

“I, A. B., do truly and sincerely acknowledge, profess, testify, and declare in my conscience before God and the world, that our Sovereign Lord King James is lawful and rightful King of this realm, and of all other His Majesty's dominions and countries; and that the Pope, neither of himself, nor by any authority of the Church or See of Rome, or by any other means, with any other, hath any power or authority to depose the King, or to dispose of any of his Majesty's kingdoms or dominions, or to authorize any foreign prince to invade or annoy him or his countries, or to discharge any of his subjects of their allegiance and obedience to his Majesty, or to give licence or leave to any of them to bear arms, raise tumults, or to offer any violence or hurt to His Majesty's royal person, state, or government, or to any of His Majesty's subjects within his dominions. And I do swear from my heart, that, notwithstanding any declaration or sentence of excommunication or deprivation made or granted, or to be made or granted, by the Pope or his successors, or any authority derived or pretended to be derived from him or his see against the said King, his heirs or successors, or any absolution of the said subjects from their obe-

dience, I will bear faith and true allegiance to His Majesty, his heirs and successors, and him and them will defend, to the uttermost of my power, against all conspiracies and attempts whatsoever which shall be made against his or their persons, their Crown and dignity, by reason or colour of any such sentence or declaration, or otherwise, and will do my best endeavour to disclose and make known to His Majesty, his heirs and successors, all treasons and traitorous conspiracies, which I shall know or hear of to be against him or any of them. And I do further swear that I do from my heart abhor, detest, and abjure, as impious and heretical, this damnable doctrine and position, that Princes, which be excommunicated or deprived by the Pope, may be deposed or murdered by their subjects, or any other whatsoever.

"And I do believe, and in my conscience am resolved, that neither the Pope, nor any other person whatsoever, hath power to absolve me of this oath, or any part thereof, which I acknowledge by good and full authority to be lawfully ministered unto me, and do renounce all pardons and dispensations to the contrary.

"And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation or mental evasion, or secret reservation whatsoever; and I do make this recognition and acknowledgment, heartily, willingly, and truly, upon the true faith of a Christian.

"So help me God."

END OF VOL. I.



